

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

LEONARD S. EMBODY,

Plaintiff,

vs.

STEVE WARD,  
individually,

Defendant.

CASE NO.  
310 0126

ORIGINAL

VIDEOTAPE DEPOSITION OF:

LEONARD STANNIE EMBODY

Taken on behalf of the Plaintiff

October 14, 2010

VOWELL & JENNINGS, INC.  
Court Reporting Services  
207 Washington Square Building  
214 Second Avenue North  
(615) 256-1935

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16  
17 Also Present: Katerine Embody  
Steve Ward  
18 Joshua Walsh  
19

20 Videographer: Rudy Smith  
21  
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I N D E X

WITNESS: LEONARD STANNIE EMBODY

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1                   The videotape deposition of LEONARD  
2 STANNIE EMBODY was taken by counsel for the  
3 Plaintiff at the offices of Attorney General's  
4 Office, 425 5th Avenue North, Nashville,  
5 Tennessee, on October 14, 2010, commencing at  
6 9:41 a.m., for all purposes under the Tennessee  
7 Rules of Civil Procedure.

8                   The formalities as to notice,  
9 caption, certificate, et cetera, are waived.  
10 All objections, except as to the form of the  
11 questions, are reserved to the hearing.

12                   It is agreed that Sandra Andrys,  
13 RMR, LCR, being a Notary Public and Court  
14 Reporter, may swear the witness, and that the  
15 reading and signing of the completed deposition  
16 by the witness are reserved.

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P R O C E E D I N G S

THE VIDEOGRAPHER: On the record.  
Reading of the introduction has been waived.  
The time on the video monitor is 9:41 a.m.

Court reporter, would you please  
swear in the witness.

LEONARD STANNIE EMBODY,  
having been first duly sworn, was examined and  
testified as follows:

E X A M I N A T I O N

BY MS. BERS:

Q. Good morning. Are you Leonard Embody?

A. Yes, I am.

Q. Mr. Embody, we're here today on a case  
that you have filed in federal court. Before I  
start asking you questions, there's some -- some  
things I'd like to go over with you.

If I ask you any question that is  
unclear or confusing or you simply don't  
understand, will you let me know that?

A. Yes.

Q. If at anytime you need to add to, correct  
or change anything that you have told me, will  
you let me know that, please?

A. Yes.

1 Q. Do you understand that what you tell me  
2 today, I'll have the right to rely on in future  
3 proceedings in your case?

4 A. Yes.

5 Q. Are you taking any medications or any  
6 type of substance that would in any way limit  
7 your ability to understand and answer questions  
8 today?

9 A. No.

10 Q. Are you carrying any type of recording  
11 device with you today?

12 A. Yes.

13 Q. What type of device are you carrying?

14 MR. DAVIDSON: Let me enter an  
15 objection. Mr. Embody is not recording anything  
16 today.

17 BY MS. BERS:

18 Q. You have a device, but you are not using  
19 it, is that -- is that what I understand to be  
20 the case?

21 A. Yes.

22 Q. Now, what is your date of birth and your  
23 age?

24 A. April 27, 1972; I'm 38 years old.

25 Q. Who -- where -- where are you presently

1 living?

2 A. I live at my house.

3 Q. All right. What is your address?

4 A. 6620 Valley Drive, Brentwood, Tennessee.

5 Q. And who's in -- who's in your household  
6 with you?

7 A. My children and my wife.

8 Q. Okay. And your wife's name is?

9 A. Katerine Embody.

10 Q. And she's here today; is that right?

11 A. That's correct.

12 Q. And your children are?

13 A. They're not here today.

14 Q. They're not here today.

15 What are their ages?

16 A. Seven and 10.

17 Q. Okay. Now, I'm looking in large part for  
18 a lot of information about you from responses  
19 that you made to interrogatories --

20 A. Okay.

21 Q. -- that -- that we had. And so that  
22 we're all talking off of the same page, I'm  
23 going to give you -- I'm going to give you a set  
24 of -- of your responses. Thank you.

25 Mr. Embody, you indicated in

1 response to interrogatory Number 2 that you have  
2 -- you've gone by a number of different names or  
3 variations of your names; would that be fair to  
4 say?

5 A. I've been known by a few, yes.

6 Q. All right. It looks as though till 1990,  
7 when I bet you had just turned 18, you went by  
8 Lenny or Lenny Stannie Embody and then after --  
9 after 1990, it appears that you preferred to be  
10 called Leonard Embody or Leonard Stanard --  
11 Stannie Embody; is that right?

12 A. That's correct, that's my given name.

13 Q. All right. It also appears that you have  
14 used some names that would -- would these be  
15 names -- well, you tell me what those names are,  
16 Kwikrnu, Kwikru, Easterisland, et cetera.

17 A. Yes.

18 Q. What are -- what are those names?

19 A. Well, I was asked to -- to give names  
20 that I've used on Internet websites or news  
21 forums, Internet discussion forums, and those  
22 are names that I've -- I've used.

23 Q. Okay. And so Kwikrnu, K-W-I-K-R-N-U,  
24 would, for example, be one of those -- one of  
25 those names that you've used for discussion



1 forums and things of that nature; is that right?

2 A. Yes, it's just a user name.

3 Q. All right. Now, you have -- you were  
4 born in -- in California, I believe; is that  
5 right?

6 A. That's correct.

7 Q. Okay. And it looks as though you -- you  
8 went through high school when you were still  
9 living in California?

10 A. That's correct.

11 Q. Then it also looks as though you went to  
12 a community college in California, Cilantro  
13 Community College; is that right?

14 A. Cilantro Community College.

15 Q. Cilantro. All right. Did you -- did you  
16 get a degree there?

17 A. No.

18 Q. Okay. What did -- what did you study?

19 A. General studies.

20 Q. Okay. It also looks as though you moved  
21 to Tennessee at some time in the early 1990s; is  
22 that correct?

23 A. Near mid 1990s.

24 Q. Mid 1990s, okay. Because I've been  
25 looking at -- I believe it was interrogatory

1 Number 8 -- 28, and it indicated that you lived  
2 with Bill and Narise Embody.

3 A. Yes, they're my parents.

4 Q. Okay. And that was from 1990 to 1991; is  
5 that right?

6 A. Actually, I've lived with them while I  
7 was growing up --

8 Q. All right.

9 A. -- for most of my life.

10 Q. Okay.

11 A. But, yes, I -- I lived with them from  
12 1990 to 1991.

13 Q. In Cottontown, Tennessee?

14 A. No.

15 Q. I beg your pardon?

16 A. No, I've -- I've never lived in  
17 Cottontown, Tennessee.

18 Q. All right. So when you were asked to  
19 list the -- I see.

20 So their present address is -- is  
21 Cottontown; is that right?

22 A. Yes.

23 Q. Okay. Did you move with your parents to  
24 Tennessee?

25 A. No, I did not move with my parents to

1 Tennessee.

2 Q. You came on your own to Tennessee.

3 A. Yes.

4 Q. Okay. What were your reasonings for  
5 moving from California ultimately to Tennessee?

6 A. I didn't move from California to  
7 Tennessee. I moved from --

8 Q. I understand.

9 A. -- I moved from San Antonio, Texas to  
10 Tennessee.

11 Q. All right. You -- you went to a  
12 community college in California in 1990, 1991,  
13 in that time?

14 A. That's correct.

15 Q. Okay. And then at some point you -- you  
16 joined the -- the Reserves, the Army Reserves;  
17 is that right?

18 A. That's correct.

19 Q. All right. Would that have been directly  
20 out of your time at the community college, or  
21 how does that relate?

22 A. No. The -- when I -- I went to the --  
23 it's such a long time ago.

24 MR. DAVIDSON: Are you referring to  
25 a civic question, that might help out?

1 MS. BERS: Yeah.

2 BY MS. BERS:

3 Q. If you look -- Mr. Embody, look at either  
4 interrogatory Number 28 or interrogatory Number  
5 5, those will probably help you the best.

6 A. No. I think I went to -- I went to  
7 community college from -- in 1991 --

8 Q. Okay.

9 A. -- in the spring of 1991. And from there  
10 the -- I -- I moved -- I'm sorry, what -- repeat  
11 your question again, because I'm confused.

12 Q. I'm not sure if I can remember my  
13 question, but let me -- let me start again with  
14 you; okay?

15 A. Okay.

16 Q. And let's see where we can go from there.  
17 Okay.

18 You -- you -- you went to the  
19 community college, Cilantro Community College.

20 What did you do after Cilantro?

21 A. I went on a mission for my church.

22 Q. All right. Where in -- where was that?

23 A. It was in Ogden, Utah, I believe, or  
24 in -- maybe in Provo, Utah, for two months, and  
25 then I was in Santiago, Chile.

1 Q. And what brought you to Santiago, Chile?

2 A. The mission trip with the church.

3 Q. And you were there for a couple of years,  
4 weren't you?

5 A. I was there until 1993, the summer of  
6 1993.

7 Q. Then what did you do after that?

8 A. Then I worked, and then I went to -- then  
9 I joined the Army Reserves.

10 Q. Then you did what?

11 A. Then I joined the Army Reserves.

12 Q. Okay. What did you do? What kind of  
13 work did you do between returning from Chile and  
14 going into the Reserves?

15 A. I believe I worked for Century  
16 Insulation.

17 Q. When you were in the Reserves, do you  
18 remember what the -- what years you were in  
19 active duty?

20 A. I was -- oh, I was on the active duty for  
21 a few months between 19 -- from January, 1994  
22 until about October, 1994.

23 Q. Look, if you would, at interrogatory  
24 Number 5.

25 And do you see -- it has the dates

1 1994 to 2002 your being in the Army Reserves; do  
2 you see that?

3 A. Yes.

4 Q. Okay. And it says that you were training  
5 for war.

6 What -- what war were you training  
7 for?

8 A. That's what soldiers do, they train for  
9 war.

10 Q. Did you ever see combat?

11 A. No, I didn't.

12 Q. Okay. What -- did you have any training  
13 in the use of AK-47s during your -- your  
14 training?

15 A. No, I didn't.

16 Q. What type of -- or what types of job  
17 assignments did you have both in active duty and  
18 then during your Reserve time?

19 A. We had -- we had any -- any typical job  
20 assignment that you would have in basic  
21 training, cleaning the -- cleaning the toilets,  
22 making beds, shining the floor, mopping the  
23 floor, sweeping.

24 Q. Were you -- I'm sorry.

25 A. I mean, there's -- there's a million and

1 one assignments.

2 Q. Sure. Okay. Were you -- were you  
3 assigned any particular specialty?

4 A. Yes, my specialty, I was assigned or that  
5 I chose was a pharmacy technician specialty.

6 Q. And how long did you -- did you -- were  
7 you assigned to jobs in that specialty?

8 A. From 1994 until 2002, when I was  
9 honorably discharged.

10 Q. Okay. During your time of active duty,  
11 which you said was just a few months; am I  
12 correct, is that what you said?

13 A. That's right, from January, 1994, until  
14 about October of 1994, active duty training.

15 Q. Okay. And where did you have your active  
16 duty training?

17 A. Fort Sill, Oklahoma.

18 Q. Okay.

19 A. And Fort Sam, Houston, Texas.

20 Q. After you completed your active duty,  
21 where did you go to live?

22 A. Tennessee.

23 Q. In Tennessee. And I apologize to you  
24 that my chronology is not totally correct, or if  
25 it is.

1                   Had you already considered Tennessee  
2 to be your home address at -- at that point?

3       A.       Yes. Well, the -- during -- while I was  
4 in active duty for training?

5       Q.       Yes.

6       A.       Then I changed my home -- home duty to  
7 Tennessee.

8       Q.       Okay. What did you -- and -- and again,  
9 pardon me if my chronology is wrong.

10                  Had your parents already moved to  
11 Tennessee?

12       A.       Yes.

13       Q.       All right. So -- so they were already  
14 here, and when you finished your active duty, it  
15 is to Tennessee that you came also; is that  
16 right?

17       A.       That's correct.

18       Q.       Where in Tennessee did you move?

19       A.       Nashville.

20       Q.       To Nashville, all right.

21                  What brought you to Nashville?

22       A.       Well, my parents live here, so it was  
23 free room and board.

24       Q.       Okay. So you came and you stayed with  
25 your parents; is that right?



1 A. That's correct.

2 Q. Okay. You gave also, in interrogatory  
3 Number 5, a listing of some of the jobs that  
4 you've had. And I notice that there was a  
5 period of time between 1991 and 1994 that you  
6 don't have any listings.

7 What was going on during that time?

8 A. Well, as I stated previously, I was in  
9 South America.

10 Q. All right. So -- so that accounts for  
11 part of that time.

12 A. And then I was active duty training for  
13 the military.

14 Q. All right. Okay. Then of the jobs that  
15 you have listed, apart -- let's -- apart from  
16 the Army Reserves, Mr. Embury -- apart from the  
17 Army Reserves, tell me what other jobs that you  
18 have listed that would have been full-time jobs.

19 A. Matco Tools was a full-time job. The  
20 Staffmark Temporary Agency was a full-time job.  
21 The Truck Tops, Et Cetera, was a full-time job.  
22 The ASIG was a full-time job.

23 Gap was a full-time job. Master  
24 Staff was a full-time job. Yellow Freight was a  
25 full-time job if you can -- if -- if you're

1 considering eight hours a day a full-time job.

2 And the Williamson County Board of  
3 Education, I considered that a full-time job  
4 because I was -- it was about seven and a half  
5 hours a day.

6 Q. All right. Were the Williamson County  
7 Board of Education you were a bus driver; is  
8 that right?

9 A. That's right.

10 Q. School bus?

11 A. Yes.

12 Q. School bus driver? And you worked there  
13 from 2008 to 2010?

14 A. That's correct.

15 Q. Are you still working there?

16 A. No.

17 Q. Okay. When -- when did you -- when did  
18 you stop?

19 A. I quit in January of this year.

20 Q. Okay. And the reason for your leaving  
21 your job?

22 A. I had two surgeries in 2009 on my wrist,  
23 and -- and I quit for two reasons: One, because  
24 my wrist was hurt when I -- when I drove the bus  
25 it just hurt; and the second reason, I'm in

1 nursing school, and I don't have time to drive  
2 the bus.

3 Q. Which wrist did you have your surgery on?

4 A. My left wrist.

5 Q. Okay. Are you left or right-handed?

6 A. I'm right-handed.

7 Q. Okay. You had two jobs, two full-time  
8 jobs in 2007, ASIG and Gap.

9 Were they at the same time or were  
10 they at separate times?

11 A. No, I started ASIG, and then I quit that  
12 probably within two weeks. I don't -- I don't  
13 recall the exact, but then I -- then I began  
14 working at Gap.

15 Q. And then how long did you stay at the  
16 Gap?

17 A. I worked there, I think, until April of  
18 -- of 2007.

19 Q. Okay. So between January and April of  
20 2007, you had worked at ASIG and you had also  
21 worked at Gap?

22 A. Yes.

23 Q. Then your next job was not until 2008; is  
24 that right?

25 A. No, I -- I worked at -- I worked at

1 Yellow -- I was employed with Yellow Freight  
2 during that time period as well.

3 Q. And -- and that was a full-time job as  
4 well?

5 A. Yes, that's -- that's casual, as it  
6 states on the paper. It was a casual on-call  
7 job, so it depends on if they needed me, they  
8 called me in, but I'd usually work eight hours  
9 when they did call me. And the economy was good  
10 at that time, so I was called often.

11 Q. Do you -- in -- in -- in your past work  
12 life do you consider that you have a -- a set of  
13 specialized job skills?

14 A. Yes.

15 Q. What -- what would those be?

16 A. I'm able to drive a forklift. I'm able  
17 to -- as a pharmacy technician dispense  
18 medicines. I can hang insulation, install  
19 insulation. I was a sorter for UPS for four or  
20 five years.

21 Pick-N-Pack tools; install  
22 components for trucks; as a bus driver, drive  
23 buses. So, yeah, I mean, I have a lot of  
24 specialized skills.

25 Q. Okay. You -- you mentioned before that

1 you're -- you're studying for a nursing degree;  
2 is that right?

3 A. That's correct.

4 Q. Let me go back a bit and let's -- let's  
5 work up to that; okay? We've talked a little  
6 bit about Cilantro Community College, and I  
7 think you said that you were doing general --  
8 general studies there; is that right?

9 A. That's correct.

10 Q. Then the next school that you've listed,  
11 if I'm correct, is Volunteer State Community  
12 College --

13 A. That's correct.

14 Q. -- up at Gallatin; is that right?

15 A. Yes.

16 Q. Did you get a degree there?

17 A. Yes, I did.

18 Q. What was -- what, associate's degree?

19 A. Yes.

20 Q. And what was -- what were you studying?

21 A. I've changed my -- my degree several  
22 times, at least twice. So what time frame are  
23 you talking about?

24 Q. Okay. Well, I guess what I was trying to  
25 find out from you, when you said you had your

1     associate's degree from Volunteer State --

2     A.        Okay.

3     Q.        -- was what your major was at the time.

4     A.        At what time?

5     Q.        That you were at Volunteer State.

6     A.        I --

7     Q.        Or if you had several majors, that's

8     fine.

9     A.        I've had two different majors.

10    Q.        Okay. What were they?

11    A.        Okay. First, my major was pre-pharmacy,

12    and second, my major was sociology.

13    Q.        Did you change from pre-pharmacy to

14    sociology or was it -- or was it the other way

15    around?

16    A.        Pre-pharmacy first.

17    Q.        And then sociology?

18    A.        Yes.

19    Q.        You then -- you then went to Columbia

20    State Community College starting in 2009; is

21    that right?

22    A.        That's correct.

23    Q.        Okay. And are you presently enrolled at

24    Columbia State Community College?

25    A.        Yes, I am.

1 Q. Okay. And are you working toward a  
2 degree there?  
3 A. Yes, I am.  
4 Q. What degree are you working towards?  
5 A. Nursing degree.  
6 Q. Is that a B.S.?  
7 A. A.S.  
8 Q. Okay. And is it in any particular branch  
9 of nursing or a general nursing degree?  
10 A. It's a general Registered Nurse degree.  
11 Q. Okay. As an RN. How far along are you  
12 in your studies?  
13 A. As far as, like, how many credit hours?  
14 Q. Yes, sir.  
15 A. I don't know.  
16 Q. Did you receive credit for your -- your  
17 past studies?  
18 A. Yes.  
19 Q. What are you taking this semester?  
20 A. I'm taking basic medical surgical. I'm  
21 taking a clinical. I'm taking a pharmacy class,  
22 and I'm taking an OB/GYN class.  
23 Q. Where are you taking your clinical?  
24 A. Williamson Medical Center.  
25 Q. And how -- how many hours a week is your

1 clinical?

2 A. It's approximately six hours a week.

3 Q. Okay. And that's for -- that's the this  
4 semester; is that right?

5 A. That's correct, so far.

6 Q. Okay. How many semesters have you gone?

7 A. To Columbia State?

8 Q. Yes, sir.

9 A. This is my third semester.

10 Q. Okay. Did you go during the summer?

11 A. I went through the -- the summer of 2009.

12 Q. We are here today to talk about the --  
13 the incident at Radnor Lake Natural Area on  
14 December the 20th, 2009.

15 And if I refer to it as Radnor or  
16 Radnor Lake, will we both understand that I'm  
17 talking about Radnor Lake Natural Area?

18 A. I -- I thought it was considered a state  
19 park.

20 Q. Well, it's considered a natural area.  
21 The technical name is natural area, but I've  
22 often thought of it as a state park myself.

23 But just so that we understand, when  
24 we talk about Radnor or Radnor Lake, we're  
25 talking about Radnor Lake Natural Area or state



1 park; okay?

2 A. Okay.

3 Q. Okay. Now, I want to talk, first of all,  
4 about the firearm that you brought with you on  
5 that day.

6 A. Okay.

7 Q. And in your complaint, in paragraph 3 of  
8 the complaint, and I can hand it to you in just  
9 a moment, you said that you had with you an  
10 AK-47 handgun; is that right?

11 A. That's correct.

12 Q. Okay. Let's talk about -- let's talk  
13 about that firearm, first of all.

14 A. Okay.

15 Q. Now, that's a -- is that a semi-automatic  
16 weapon?

17 A. Yes.

18 Q. It is. About what range would -- would  
19 -- would that cover?

20 A. I don't know.

21 Q. If you were to fire?

22 A. I have no idea.

23 Q. You don't -- you don't know how far the  
24 bullet would go?

25 A. No, I've never measured that.

1 Q. Okay. Have you ever been interested in  
2 knowing generally what the range is of a -- of  
3 that weapon?

4 A. Sure, can you tell me?

5 MR. DAVIDSON: Don't ask her  
6 questions. She'll ask you.

7 BY MS. BERS:

8 Q. I'm asking you if you've ever --

9 A. No.

10 Q. -- inquired?

11 A. No, I don't think I've ever inquired. I  
12 don't recall that.

13 Q. Okay. Now, how long is the barrel length  
14 of that weapon?

15 A. I believe it's 11 and a half inches.

16 Q. Okay. In response again to  
17 interrogatories, you sent along some documents,  
18 and it's really under the -- under the group of  
19 papers entitled, "First Request for Production  
20 of Documents," if you want to get that --

21 A. Okay.

22 Q. -- under you. And if you'll look, you  
23 will see that some of the documents that you  
24 included were papers and manuals that came with  
25 -- with your -- with your weapon.

1                   And I'm going to show you, it says  
2     "owner's manual, Draco pistol."

3                   Can you get to that part of your --  
4     of your stack there.

5     A.        Okay.

6     Q.        I'd like you to flip back, let's see,  
7     one, two, three pages, until you come to a  
8     diagram.

9                   Do you see that of -- of the weapon?

10    A.        Yes.

11    Q.        Okay. Underneath the diagram of that  
12    weapon, it has some information about the  
13    background of the -- of the Draco; do you see  
14    that there?

15    A.        Yes.

16    Q.        And would you agree that one of the  
17    attributes that they -- that they mention is  
18    that it has the attributes of an assault rifle;  
19    is that right, if you look at the bottom of the  
20    second paragraph there -- the third paragraph?

21    A.        I think you're asking me if I agree that  
22    -- what again?

23    Q.        Well, in -- in the information that was  
24    provided to you when -- when you purchased this  
25    weapon, it indicated that it -- that the AK-47

1 can be seen as a fusion of the best that the MI  
2 (sic) Garand offered, combined with some of the  
3 positive attributes of the German -- it looks  
4 like StG .44 assault rifle; do you see that  
5 there?

6 A. Okay, yes.

7 Q. Okay. So when you purchased that weapon,  
8 that information was provided to you; is that  
9 right?

10 A. After I purchased the weapon and after it  
11 was delivered to me.

12 Q. All right. Did it come with the weapon?

13 A. Yes.

14 Q. Are you aware that an AK-47 started out  
15 as a military weapon?

16 A. Yes.

17 Q. Okay. And probably is still used by --  
18 by our armed forces, as well as armed forces of  
19 other countries; do you agree with that?

20 A. I don't know if it's used by the United  
21 States Armed Forces.

22 Q. You don't know.

23 A. I don't know.

24 Q. Okay. But it had its inspiration and was  
25 designed by a Russian by the name of Mikhail

1 Kalashnikov. I'm going to ruin that,  
2 Kalashnikov?

3 A. Yes.

4 Q. So all of that information was provided  
5 to you when your weapon arrived to you; is that  
6 right?

7 A. That's correct.

8 Q. Now, you -- you bought this weapon in  
9 December -- it looks like December 14 of 2009;  
10 is that correct?

11 A. That sound about the right time frame,  
12 yes.

13 Q. Okay. And it was transferred to you a  
14 couple of days later, December 16, 2009; is that  
15 right?

16 A. Yes, I was invoiced on the 14th, on  
17 December 14th.

18 Q. If you look at interrogatory Number 8,  
19 that might assist you.

20 A. Well, I was -- I was looking at the  
21 receipts, but, yeah, I was invoiced on the 14th  
22 and -- on December 14th. Then it was  
23 transferred to me on the 16th.

24 Q. And so on December 16th of 2009, that's  
25 when this weapon came into your possession; is

1     that correct?

2     A.       That's correct.

3     Q.       Okay. And that would have been about  
4     four days before this episode at Radnor; is that  
5     right?

6     A.       That's correct.

7     Q.       Now, from whom did you -- did you buy  
8     this weapon?

9     A.       I bought it from Classic Arms.

10    Q.       Was that by mail order that you -- that  
11    you purchased it?

12    A.       Yes.

13    Q.       How many times before -- you went to  
14    Radnor on December the 20th.

15               How many times had you fired that  
16    weapon before you went to Radnor?

17    A.       I probably fired maybe five or six  
18    rounds.

19    Q.       Before you went to Radnor on December the  
20    20th of 2009, how many other public places did  
21    you take that weapon?

22    A.       I've taken it to the airport --

23    Q.       Okay.

24    A.       -- and when I was driving around in my  
25    car, when I went to get gas in my car.

1 Q. You took it to the Nashville Airport?  
2 A. That's correct.  
3 Q. Okay. Where at the Nashville Airport did  
4 you -- did you take this?  
5 A. Passenger drop-off.  
6 Q. Okay. Did you keep it in your car with  
7 you or did you leave the car with it?  
8 A. Yeah, I left the car with it.  
9 Q. Okay. And where did you walk with it?  
10 A. I walked to the curb to leave off bags.  
11 Q. All right. And did you have it in its  
12 sling?  
13 A. Yes, that's correct.  
14 Q. Okay. Was it in -- was it -- was this  
15 weapon -- was the sling of this weapon, was it  
16 positioned so that the weapon was at your back  
17 or at your front?  
18 A. At my front.  
19 Q. At your front. And so -- and what day  
20 was that that you did that?  
21 A. I don't -- I don't recall the exact date.  
22 Q. Is it possible it might have been the  
23 morning of December 20th, 2009?  
24 A. I don't -- I don't think it was the  
25 morning, but it could have been.

1 Q. All right. But it was sometime between  
2 December 16th and December 20th of 2009?

3 A. That's correct.

4 Q. When you brought it to the airport and  
5 you were standing at the passenger drop-off, was  
6 that weapon loaded?

7 A. Yes.

8 Q. Okay. Did you have two magazines with  
9 you?

10 A. No, I just had one magazine.

11 Q. One magazine. Was there a round in the  
12 chamber of the weapon?

13 A. Yes.

14 Q. Did you bring a recording device with you  
15 and have it playing? Let's -- let's start with  
16 the first question.

17 Did you bring a recording device  
18 with you to the airport that time?

19 A. Probably. I -- I always carry a  
20 recording -- I usually carry a recording device  
21 with me.

22 Q. Did you have the recording device  
23 operational and playing at the time?

24 A. No.

25 Q. Now, have you ever brought any other



1 firearms to the Nashville Airport?

2 A. I'm sure I have. I always carry a  
3 handgun with me, but -- but I don't -- I don't  
4 recall any particular event or anything.

5 Q. Okay.

6 A. I've been to the Nashville Airport  
7 several times.

8 Q. All right. Other than the airport, any  
9 other public places where you had taken the  
10 AK-47 before the episode at Radnor?

11 A. Yeah, I said I took it to a gas station.

12 Q. To a gas station.

13 A. Uh-huh.

14 Q. All right. Was that the same trip as to  
15 the airport or a different trip?

16 A. I think it was the same trip, but I -- I  
17 don't remember exactly.

18 Q. Before the episode at Radnor, had you  
19 disassembled that weapon at any time?

20 A. Yes.

21 Q. Okay. And re-assembled it?

22 A. Yes.

23 Q. My understanding is that on December 20th  
24 of 2009 when you took this weapon to -- to  
25 Radnor, the weapon had an orange-colored barrel

1 nut; is that right?

2 A. That's correct.

3 Q. Did it come with an orange-colored barrel

4 nut?

5 A. No.

6 Q. How did it get the orange-colored barrel

7 nut?

8 A. I painted it.

9 Q. When did you do that?

10 A. I don't know. I don't recall the exact

11 date.

12 Q. It would have still had to have been

13 between December 16th and December 20th of 2009,

14 though; is that correct?

15 A. That's correct.

16 Q. So the -- the gun that Ranger Ward over

17 here saw on December the 20th looked different

18 from the gun that you received on December 16th,

19 2009; isn't that true?

20 A. Yeah.

21 Q. What kind of ammunition did you have with

22 you on your person on December the 20th of 2009

23 at Radnor Lake?

24 A. I had the basic 762 by 39 millimeter

25 cartridge.

1 Q. And I understand that you've had two  
2 30-round magazines with you?

3 A. No.

4 Q. You did not?

5 A. That's correct, I didn't -- I didn't. I  
6 only had one magazine.

7 Q. Your testimony is that you had one  
8 magazine with you; is that right?

9 A. That's correct.

10 Q. Okay. And there are 30 rounds in a  
11 magazine?

12 A. Yes. Each magazine -- well, that type of  
13 magazine that I have holds 30 rounds.

14 Q. And you, in fact, had it filled?

15 A. That's correct.

16 Q. And would one of those rounds have been  
17 in the chamber?

18 A. No, an extra round was in the chamber.

19 Q. I see. So you had a total of 31?

20 A. That's correct.

21 Q. So I take it that at the time that you  
22 were actually walking through Radnor, that  
23 weapon was loaded and was ready to be fired if  
24 you -- if you so wished; is that right?

25 A. Well, it was on safety. The safety was

1 on.

2 Q. But it was ready to be fired if you so  
3 wished; is that correct?

4 A. Yeah, that's correct.

5 Q. And that would have been true at the time  
6 that you met Ranger Josh Walsh over here?

7 A. Yes.

8 Q. And it would have been true at the same  
9 time that you encountered Ranger Steve Ward, who  
10 is sitting next to me; is that right?

11 A. Yes.

12 Q. Before you went to Radnor on December the  
13 20th of 2009, did you ever make any inquiries  
14 about obtaining armor-piercing ammunition for  
15 that weapon?

16 A. I don't recall, but -- I don't recall,  
17 but, I mean, I may have at some point in the  
18 past.

19 Q. So there's a possibility you had?

20 A. Yes.

21 Q. Now, you had with you on December the  
22 20th of '09 at Radnor -- you had this weapon in  
23 a sling; is that right?

24 A. That's correct.

25 Q. Okay. And it is -- what -- describe what

1 that sling would look like.

2 A. It's a -- it's a piece of canvas with --  
3 that attaches to the front end of the weapon  
4 where the barrel is and to the back end of the  
5 weapon where -- basically where the handle is.

6 Q. All right. Are you able to position the  
7 weapon -- using that sling, are you able to  
8 position the weapon so that the weapon is at  
9 your back?

10 A. Yes.

11 Q. Okay. Parallel to your back?

12 A. Yes, uh-huh.

13 Q. Are you able to reposition the sling so  
14 that the weapon can be positioned across --  
15 across your chest?

16 A. Yes.

17 Q. When it is positioned across your chest,  
18 in which direction is the barrel pointing?

19 A. It could -- it could point up; it could  
20 point down.

21 Q. It would be at an angle to your chest,  
22 the weapon; is that right?

23 A. Well, it depends on how you -- how you  
24 put the -- put the sling on.

25 Q. All right. When -- when you wore the

1 sling at Radnor that day, at one point you had  
2 -- or at one time you had the weapon positioned  
3 so that it was at your back; is that right?

4 A. That's correct.

5 Q. Okay. How was the weapon positioned on  
6 your back?

7 A. It was diagonally on my back with the --  
8 with the hand grip to the left, and the -- and  
9 the barrel to the -- my upper right shoulder.

10 Q. Was the barrel pointing up or pointing  
11 down?

12 A. It was pointing down.

13 Q. At another time you repositioned the  
14 weapon so that the weapon was positioned across  
15 your chest; is that right?

16 A. That's correct.

17 Q. Tell -- describe how you had it  
18 positioned at that time.

19 A. With the barrel to my lower left, and the  
20 -- the hand grip to my -- my upper right  
21 shoulder.

22 Q. Which way was the barrel pointing then?

23 A. Down.

24 Q. Okay. When -- when the weapon is  
25 positioned across your chest as you just

1 described, first of all, can you demonstrate to  
2 us how you would then be able to fire that  
3 weapon?

4 A. Well, you'd have to release the sling to  
5 be able to push the weapon out to shoot it.

6 Q. You'd have to release the sling in order  
7 to be able to fire the weapon?

8 A. That's correct, because it's -- it's tied  
9 against your chest, and the -- the manufacturer  
10 of the sling makes it so it's tight against your  
11 chest so it doesn't -- it's not flopping all  
12 over the place in a dangerous type of situation,  
13 so it's tied up to your chest.

14 So to release it, you pull the quick  
15 release, and then you can push the weapon out to  
16 defend yourself.

17 Q. Okay. Show -- show us again, and I would  
18 -- I would like to be able to have the  
19 videographer be able to -- to capture that. I'm  
20 not sure that your hands were -- were --

21 A. I don't know, it's difficult to do it  
22 without a sling.

23 Q. All right.

24 A. But how -- I mean, okay. So are you  
25 talking about how would I get it from my back to

1 my chest?

2 Q. First of all, demonstrate how you'd get  
3 it from back to chest.

4 A. Well, you'd grab the sling, the canvas  
5 portion of the sling right here, and then you'd  
6 just pull it up. It takes two seconds. So then  
7 it goes from your back where the hand grip is at  
8 the bottom, and you just pull it up.

9 And then so now the hand grip is at  
10 the top and the barrel is down, sitting tight  
11 against your chest. To release it there's a  
12 quick release tab. You pull the quick release  
13 tab, and then the weapon is either free or -- or  
14 you can pull -- there's two quick release tabs.

15 One you pull so the weapon is free  
16 so it's not attached to any type of a sling.  
17 The other one you pull the quick release tab,  
18 and it gives slack to the sling so you're able  
19 to hold it --

20 Q. All right.

21 A. -- while it's still slung on your body.

22 Q. When -- when you demonstrated -- you can  
23 sit down now.

24 When -- when you demonstrated moving  
25 the -- the weapon from back to front, the weapon



1 was going under your arm; is that right?

2 A. Yeah, the weapon -- you would pull --

3 Q. Sorry.

4 A. You pull the hand grip. When -- when the  
5 weapon is on the back, I have the barrel up  
6 here, my upper right shoulder. The hand grip is  
7 to my left kidney.

8 Q. All right.

9 A. Okay. You grab -- you don't touch the  
10 weapon. You grab the sling. You pull the sling  
11 up. The weapon follows the sling so -- so that  
12 if the hand grip was there, you grab onto the  
13 sling. You pull the sling up.

14 The hand grip is now up here, and  
15 the barrel is now pointing down, but it's still  
16 tight to your chest. Now, and it takes about  
17 two seconds to do that. Now, if you want to  
18 release it, just pull the quick release tab and  
19 your weapon is free. You can -- to defend  
20 yourself.

21 Q. And so when you pull the quick release  
22 down, at that point all you need to do is to --  
23 is to swing the barrel forward; is that correct?

24 A. That's correct.

25 Q. Okay. When you encountered -- and if I

1 asked you this, I apologize, but I'll ask you  
2 again.

3 When you encountered Josh Walsh, the  
4 very first ranger that you met at Radnor, the  
5 weapon at that point was positioned, as you  
6 described, it would be on the front of your  
7 chest; is that right?

8 A. That's correct.

9 Q. And the barrel was down?

10 A. Yeah.

11 Q. And to -- to fire at that point all you  
12 needed to do was to press the quick release and  
13 you would be operational to fire; is that right?

14 A. No, well, you'd have to -- you'd have to  
15 point and then you'd have to remove the safety  
16 as well.

17 Q. All right. With those other two steps?

18 A. Yes.

19 Q. Quick release, release the safety, and --  
20 and aim; is that right?

21 A. That's correct.

22 Q. You had been -- I want to talk to you  
23 about Radnor.

24 You had indicated in your  
25 interrogatory responses that you had --

1 MR. DAVIDSON: What question,  
2 please?

3 MS. BERS: Interrogatory Number 6.

4 MR. DAVIDSON: Six?

5 MS. BERS: Yes, sir.

6 MR. DAVIDSON: Thank you.

7 BY MS. BERS:

8 Q. You had indicated that you had been to  
9 Radnor Lake two times in the fall of 2009; is  
10 that right?

11 A. That's correct.

12 Q. And each of those two visits to Radnor  
13 Lake you had carried a -- well, you describe to  
14 me what you had carried.

15 A. The two occasions in the fall of 2009, I  
16 carried a Smith & Wesson revolver.

17 Q. Was that -- did you carry that in a  
18 holster?

19 A. Yes.

20 Q. With either of those two occasions, at  
21 any time did any ranger stop and question you?

22 A. Yes.

23 Q. Do you remember which ranger it was who  
24 stopped and questioned --

25 A. Ranger Ward.

1 Q. It was Ranger Ward. Okay.

2 And that was during a time when you  
3 were carrying the Smith & Wesson revolver in  
4 your holster; is that right?

5 A. That's correct.

6 Q. Did you have anyone with you?

7 A. Yes, my children were with me.

8 Q. Your two children. When Ranger Ward  
9 stopped you, did he ask to see your handgun  
10 permit?

11 A. Yes, he did.

12 Q. And did you have it with you?

13 A. Yes, I did.

14 Q. And did you show it to him?

15 A. Yes, I did.

16 Q. And then he reviewed it?

17 A. Yes, he did.

18 Q. And after he reviewed the handgun permit,  
19 what else happened?

20 A. I don't recall, because I was paying more  
21 attention to my children, but I think he took it  
22 and he called someone about it, but he may not  
23 have. I'm not a hundred percent sure on that.

24 Q. All right. And then what happened?

25 A. And then he gave it back to me.

1 Q. And then what happened?

2 A. We talked for maybe a minute or two  
3 about --

4 Q. About -- I'm sorry?

5 A. About guns and about guns at the park.

6 Q. Okay. And then what happened?

7 A. Then he walked away.

8 Q. Now, that's one -- one of the two  
9 occasions that you had your -- your revolver  
10 with you.

11 On the other occasion that you had  
12 your revolver with you, did you encounter any  
13 ranger?

14 A. I didn't encounter -- I encountered  
15 someone behind the desk, but I'm not sure if she  
16 was a volunteer or if she was a ranger.

17 Q. At the visitor's center?

18 A. Yes.

19 Q. Okay. But -- but did that individual ask  
20 to see your handgun permit?

21 A. No.

22 Q. So -- so in the fall of 2009, you had  
23 those two occasions when you went to Radnor  
24 Lake, and you've just described what happened in  
25 each of those; is that right?

1 A. Yes.

2 Q. Okay. Then the third occasion that you  
3 brought a weapon, a firearm to Radnor Lake,  
4 would have been on December the 20th of 2009; is  
5 that right?

6 A. That's correct.

7 Q. Okay. Let's talk about that day. What  
8 -- what time did you get to -- to Radnor?

9 A. It was approximately 3:30, 3:45.

10 Q. Okay. Did you have anyone with you that  
11 day, Mr. Embody?

12 A. No.

13 Q. You were by yourself?

14 A. Yes.

15 Q. When you got out of your car, I assume  
16 the first thing you did was to -- to place the  
17 sling and to position the weapon; is that right?

18 A. Yeah. Well, I'm not -- I don't recall if  
19 I had it already on me, but I -- I'm almost -- I  
20 think I had it on me as I -- as I pulled up in  
21 there.

22 Q. All right. So you already had the sling  
23 and the weapon?

24 A. Yes, and what I -- what I think I did was  
25 -- usually when I drive, I usually have it

1 positioned on my chest, so I probably flipped it  
2 over to my back.

3 Q. Now, when -- when you -- when you got  
4 there, where did you go in Radnor?

5 A. I parked at the west parking lot, and I  
6 walked into the visitor's center.

7 Q. All right. And what did you do there?

8 A. I think I went to get a drink of water.

9 Q. And then what?

10 A. Then I walked and I -- I walked around  
11 the trail.

12 Q. Do you remember which trail you went on?

13 A. I don't recall right offhand, but it was  
14 -- it's the -- there's only -- there's only one  
15 trail that I believe goes from that west parking  
16 lot, and it's a little dirt trail, and it runs  
17 along the north side of the lake.

18 Q. So you were following along the lake?

19 A. I was following the trail.

20 Q. All right. What were you wearing that  
21 day?

22 A. I was wearing boots, blue jeans,  
23 camouflage jacket and a black polypropylene hat.

24 Q. The -- the camouflage jacket, was that a  
25 military-issued type camouflage jacket?

1 A. Yeah, I bought the jacket at the military  
2 post exchange while I was in military service,  
3 but I was never issued the jacket.

4 Q. But it was a military type of camouflage  
5 jacket?

6 A. Yes.

7 Q. Now, you had a recording device with you?

8 A. Yes.

9 Q. Okay. And that recording device was --  
10 was actually working at that time; is that  
11 right?

12 A. That's correct, I had inadvertently  
13 turned the -- turned the recording device on, so  
14 it was recording during my walk.

15 Q. Okay. We've already discussed the fact  
16 that you had painted the barrel nut of the  
17 weapon orange sometime between December 16th and  
18 December 20th of 2009; is that right?

19 A. That's correct.

20 Q. Now, would you agree that as Kwikrnu, you  
21 stated on the -- the Highroad.org on December  
22 18th, 2009, "I painted the muzzle nut/thread  
23 protector blaze orange because I have safety in  
24 mind. It means no one can and will shoot me."

25 A. Uh-huh.



1 forums that you -- you disclosed to us on  
2 December 18, 2009, "I painted the muzzle  
3 nut/thread protector blaze orange because I have  
4 safety in mind" -- "in mind. It means no one  
5 can and will shoot me"; is that correct?

6 A. Yes.

7 MS. BERS: All right. Let's make  
8 that Exhibit Number 1 then, please, to  
9 Mr. Embody's deposition.

10 (Document marked as Exhibit 1.)

11 BY MS. BERS:

12 Q. Again, in response to interrogatory  
13 Number 2 and interrogatory Number 4, it is --  
14 you've indicated that you engaged in discussions  
15 in the -- I believe it's the -- the  
16 Opencarry.org discussion forums; is that right?

17 A. That's right.

18 Q. Okay. And isn't it true then that on the  
19 day after this incident at Radnor Lake on  
20 December 21, 2009, you were asked by another  
21 member of this discussion forum why you have an  
22 orange tip.

23 And you replied, "Safety, cops don't  
24 shoot people with orange-tipped handguns. When  
25 they do, they think twice about it. Since most

1 Q. Did you say that?

2 A. I think I did. The -- but a lot of those  
3 -- a lot of those Internet forums, they will  
4 edit your comments, but I did paint it orange.

5 MR. DAVIDSON: I'll state for the  
6 record, this is the first time I've seen this  
7 document.

8 BY MS. BERS:

9 Q. Mr. Embody, in response -- thank you very  
10 much.

11 In response to interrogatory  
12 Number 2 -- no, excuse me -- yes, in response to  
13 interrogatory Number 2, you indicated that one  
14 of the names that you use for discussion forums  
15 is the name Kwikrnu, K-W-I-K-R-N-U; is that  
16 right?

17 A. Yes.

18 Q. And you've also indicated in response to  
19 interrogatory Number 4, you advised us of the  
20 various discussion forums in which you have  
21 placed comments; isn't that correct?

22 A. Yes.

23 Q. Then with that I'll show you this  
24 comment, and you've already looked at it, the  
25 comment that you made in one of those discussion

1 people assume it is an airsoft toy, I will  
2 probably generate fewer MWAG calls."

3 I'm going to show that to your  
4 attorney and ask him to pass that one to you.

5 Do you agree that you said that or  
6 stated that in that discussion forum,  
7 Mr. Embody?

8 A. Right, that's posted under my username,  
9 so --

10 Q. Yes?

11 A. I mean, I -- you know, that was, what, 10  
12 months ago, and I can't guarantee that that post  
13 hasn't been edited by someone other than me. I  
14 probably have thousands of Internet posts, but  
15 it seems reasonable.

16 MS. BERS: All right. Let's make  
17 that Exhibit Number 2 to Mr. Embody's  
18 deposition, please.

19 (Document marked as Exhibit 2.)

20 BY MS. BERS:

21 Q. In your -- in your responses to our  
22 interrogatories, again interrogatory Number 2  
23 and interrogatory Number 4, you indicated that  
24 another discussion group that you participated  
25 in was Glocktalk.com; is that right?

1 A. That's correct.

2 Q. Okay. And isn't it true that on August  
3 the 23rd of 2009 you stated on Glocktalk.com, "I  
4 can't wait for a cop to arrest me because I  
5 open-carried a handgun and someone called 9-1-1.  
6 It almost happened twice, but no cigar yet.  
7 Maybe carrying a PLR-16 or AK pistol will change  
8 that."

9 I'm going to show that to your  
10 attorney -- excuse me -- and ask him to pass  
11 that on to you.

12 That's what you stated, didn't you?

13 A. Like I said, you know, I don't recall,  
14 but that -- that forum has edited a lot of my  
15 posts. So, I mean, those could be my words, it  
16 might not, but I don't recall making that post.

17 Q. You don't recall?

18 A. That's right.

19 MS. BERS: Let's make that Exhibit  
20 Number 3.

21 (Document marked as Exhibit 3.)

22 BY MS. BERS:

23 Q. Again, in response to interrogatory  
24 Number 2 and interrogatory Number 4, you  
25 disclose that you engaged in discussion in the

1 Opencarry.org forum.

2 And I'm going to show you an entry  
3 made by Kwikrnu on December 20th, 2009  
4 describing the episode at Radnor Lake that day.  
5 And I'm going to let your attorney see it.

6 And my question to you will be  
7 whether or not you agree with that description.

8 A. Yeah, I think I remember posting that.

9 Q. You remember posting this?

10 A. Uh-huh.

11 Q. Yes?

12 A. I can't say that it's those exact words,  
13 because those forums often edit your comments.  
14 But, I mean, it seemed reasonable to me and I  
15 don't -- I don't disagree with anything that's  
16 said there.

17 MS. BERS: Let's make this the next  
18 numbered exhibit to Mr. Embody's deposition,  
19 please.

20 (Document marked as Exhibit 4.)

21 BY MS. BERS:

22 Q. At -- at one point during your -- your  
23 hike at Radnor on December the 20th, 2009, you  
24 encountered Ranger Josh Walsh; isn't that right?

25 A. Yes.

1 Q. Okay. Where did you encounter him?

2 A. On the road that runs from the east side  
3 of the park to the west side.

4 Q. Is that Otter Creek Road?

5 A. I don't know the name of the road.

6 Q. Was it a paved road?

7 A. Yes.

8 Q. You were no longer on the dirt path that  
9 you described before?

10 A. That's correct. I was probably about 100  
11 yards, maybe 150 yards off of that dirt trail.

12 Q. When you encountered Ranger Walsh, what  
13 was he doing at the time?

14 A. I think he was talking to someone.

15 Q. All right. And when you encountered him,  
16 of course, you were still dressed in your --  
17 your -- your camouflage jacket and black cap; is  
18 that right?

19 A. Yeah, that's correct.

20 Q. And at that time you had the AK-47 slung  
21 so it was positioned across the front of your  
22 chest; is that right?

23 A. That's correct.

24 Q. And Ranger Walsh questioned you about  
25 whether that was a handgun; is that right?

1 A. Yes.

2 Q. And he also -- you may have commented to  
3 him that you -- you knew you would run into a  
4 ranger one of these times; isn't that true?

5 A. Yes.

6 Q. Okay. I have a CD that your attorney  
7 provided to us that we understand was a  
8 recording that you made that day while you were  
9 at Radnor Lake.

10 Does that sound familiar to you?

11 A. Yes, I made recordings.

12 Q. All right. And you made a recording that  
13 day; do you remember doing that?

14 A. Yes.

15 Q. Okay. And that recording would have  
16 included Ranger Walsh's discussion with you; is  
17 that right?

18 A. Yes.

19 Q. Okay. I'm going to try and see if we can  
20 play that at this moment.

21 THE WITNESS: Okay.

22 MR. DAVIDSON: Just for point of  
23 clarification, are you going to play the whole  
24 recording?

25 MS. BERS: No, and I -- I don't plan

1 to do that, Mr. Davidson.

2 MR. DAVIDSON: All right.

3 MS. BERS: What I would propose that  
4 we do is this, because it's a fairly long  
5 recording --

6 MR. DAVIDSON: Just make it an  
7 exhibit to his deposition.

8 MS. BERS: Yes, but I would like to  
9 play it also so that we can all hear it. I  
10 don't think it needs to be transcribed, but I  
11 would like for Mr. Embody to hear portions,  
12 because I would like to talk to him about that;  
13 okay?

14 THE WITNESS: Okay.

15 BY MS. BERS:

16 Q. So what I'm going to do is to play the  
17 very first portion of it, and then there's a  
18 long period of time there appears that you were  
19 just walking or hiking along, and we certainly  
20 don't need to -- to listen to that.

21 But then I'm going to fast forward  
22 it, if you agree, to the portion where you and  
23 Ranger Walsh are talking. Is that all right?  
24 Okay.

25 (Audio recording was played.)



1 MS. BERS: I'm stopping at that  
2 point. I'm going to stop it at that point.  
3 First of all, I've asked the court reporter not  
4 to transcribe that, all right, because we will  
5 certainly -- we'll simply use the audio of that,  
6 and we're going to be making this an exhibit to  
7 your deposition anyway.

8 BY MS. BERS:

9 Q. I want to ask you about that particular  
10 portion.

11 When did you make that part of this  
12 recording?

13 A. Probably as soon as I got out of my  
14 vehicle.

15 Q. Okay. So the first thing you did was to  
16 -- was to flip on your tape recorder or your  
17 recording device; is that right?

18 A. Usually I turn on the recording device,  
19 if I remember to do it.

20 Q. Okay. And you wanted to make sure that  
21 it -- it documented this as Radnor Lake on  
22 December 20th, 2009; right?

23 A. That's correct.

24 Q. Okay. I'm going to turn that on and then  
25 I'm going to fast forward it, because there's a

1 long period of time where it's simply nothing  
2 but -- but noise of your walking. And if you  
3 want to listen to any of that, let me know;  
4 okay?

5 (Audio recording was played).

6 MS. BERS: Okay. I'm going to fast  
7 forward this up a bit.

8 (Audio recording was played).

9 BY MS. BERS:

10 Q. Were you able to hear?

11 A. Yes.

12 Q. All right. And you have -- you have  
13 certainly listened to that recording before,  
14 haven't you?

15 A. Yes.

16 Q. And the recording that -- that you just  
17 heard now is the same recording that you've  
18 heard before; is that correct?

19 A. Yes.

20 Q. And it is in fact the recording that you  
21 made on December 20th, 2009, is that right?

22 A. Yes.

23 MS. BERS: All right. Then what I'm  
24 going to do is to make that the next exhibit to  
25 your deposition, Mr. Embody.

1 (Document marked as Exhibit 5.)

2 MS. BERS: Ms. Court Reporter, I've  
3 got the jacket for this, and so I'll provide  
4 that to you, but we'll make that the next  
5 exhibit to Mr. Embody's deposition.

6 BY MS. BERS:

7 Q. You commented during -- during that  
8 discussion with Mr. -- with Ranger Walsh that  
9 you knew that you had -- that you would run into  
10 a ranger one of these times; isn't that right?

11 A. Yes.

12 Q. You anticipated that a ranger would stop  
13 and ask you about your weapon, didn't you?

14 A. Yes, yes.

15 Q. At any time did Ranger Walsh say anything  
16 to you that indicated to you that you were not  
17 able to leave Radnor?

18 A. No.

19 Q. Okay. But when Ranger Walsh had that  
20 discussion with you, he questioned you about  
21 whether or not that was in fact a handgun,  
22 didn't he?

23 A. Actually, I think he admitted that it was  
24 a handgun.

25 Q. Well, let's listen to that part again,

1 and perhaps you might not -- the audio is not  
2 that good.

3 What else did he do besides admit  
4 that it was a handgun?

5 A. He said, "Technically that is a handgun,  
6 but I don't see why you need it in the park."

7 Q. Well, he -- let's listen to that again.

8 (Audio recording was played.)

9 MS. BERS: Can you hear?

10 THE WITNESS: Yes.

11 (Audio recording was played.)

12 BY MS. BERS:

13 Q. Okay. Now, you also heard Ranger Walsh  
14 say, "I'm pretty sure an AK-47 is not a  
15 handgun." Did you hear that part, Mr. Embody?

16 A. Yes.

17 Q. And did you hear the part where he said  
18 that the orange threw him off?

19 A. Yes.

20 Q. Now, you continued walking until you came  
21 to the visitor's center parking lot; is that  
22 right?

23 A. That's correct.

24 Q. And when you got there, that's when you  
25 encountered Ranger -- Ranger Ward; is that

1 right?

2 A. Well, as I walked in, and I -- right as  
3 soon as I basically got to my car, he -- he  
4 arrived.

5 Q. He arrived. All right. And at the time  
6 that you encountered Ranger Ward, you still had  
7 your weapon positioned across the front of your  
8 chest; is that right?

9 A. That's correct.

10 Q. And it was while you had your weapon  
11 positioned across the front of your chest that  
12 -- that Ranger Ward came out and -- and pointed  
13 his shotgun at you; is that correct?

14 A. That's correct.

15 Q. Now, he ordered you to relinquish your  
16 firearm, didn't he?

17 A. Yeah, he ordered me to drop the firearm.

18 Q. To drop the firearm. All right.

19 Did you comply with him?

20 A. Yes.

21 Q. He ordered you to lie face down, didn't  
22 he?

23 A. Yes.

24 Q. And did you comply with him?

25 A. Yes.

1 Q. While you were lying face down, you  
2 couldn't tell whether or not he still had the  
3 shotgun pointed at you, could you?  
4 A. That's correct.  
5 Q. Okay. So it's possible that at the time  
6 that you laid down, he no longer had that  
7 shotgun pointed at you; isn't that right?  
8 A. That's correct.  
9 Q. After he patted you down -- which he did;  
10 is that right?  
11 A. Yes.  
12 Q. After he patted you down, he allowed you  
13 to stand up, didn't he?  
14 A. After he patted me down, he searched me.  
15 Q. And searched you. Then he allowed you to  
16 stand up; is that right?  
17 A. Yes.  
18 Q. He never took your cell phone away from  
19 you, did he?  
20 A. No.  
21 Q. Matter of fact, you were allowed to use  
22 your cell phone during the time that you were in  
23 the parking lot at Radnor Lake, weren't you?  
24 A. Yes.  
25 Q. And in fact you did?

1 A. Yes.

2 Q. You indicated that you had a recording  
3 device with you.

4 He never told you to turn it off,  
5 did he?

6 A. No.

7 Q. I think you indicated that the batteries  
8 were dead in your recording device by that time;  
9 is that right?

10 A. Yes.

11 Q. So you were not able to record what went  
12 on in your discussion with Ranger Ward, were  
13 you?

14 A. That's right.

15 Q. But it was not because he told you to  
16 turn the thing off?

17 A. That's correct.

18 Q. Now, shortly after that the officers from  
19 Metro Police arrived; isn't that right?

20 A. Yes.

21 Q. And they came in several cars?

22 A. Yes.

23 Q. They were calm and courteous and  
24 respectful to you?

25 A. Other than detaining me, yes.

1 Q. They were calm, courteous and respectful  
2 to you?

3 A. Yes.

4 Q. Ranger Ward at all times was courteous  
5 and respectful to you?

6 A. No.

7 Q. When was he not?

8 A. When he pointed the shotgun at my face.

9 Q. While you had your weapon across your  
10 chest; is that right?

11 A. That's correct.

12 Q. After he allowed you to stand up, he was  
13 calm, courteous and respectful to you  
14 thereafter; is that right?

15 A. Yes.

16 Q. And you too were calm, courteous and  
17 respectful to the officers, weren't you?

18 A. Yes.

19 Q. At one point you advised the police  
20 officers for Metro that you wanted to speak to a  
21 supervisor; is that right?

22 A. Yes.

23 Q. And the officers advised you that it  
24 would take some time for that to happen; isn't  
25 that so?



1 A. Yes.

2 Q. But -- but you were willing to wait for a  
3 supervisor to come; is that correct?

4 A. I had no choice. I was arrested at that  
5 time.

6 Q. You asked for a supervisor; is that  
7 correct?

8 A. Yes.

9 Q. And you were -- you wanted one to come,  
10 even though the officer said it would take  
11 additional time; is that right?

12 A. I had no choice. I was arrested at that  
13 time.

14 MR. DAVIDSON: Excuse me one second.  
15 Just listen to the question she's asking you.

16 THE WITNESS: Okay.

17 MR. DAVIDSON: Would you repeat the  
18 question?

19 MS. BERS: Would our court reporter  
20 repeat the question for me, please?

21 (Question was read by the reporter.)

22 THE WITNESS: Maybe I just don't --  
23 maybe I just don't -- I don't understand the  
24 question.

25 BY MS. BERS:

1 Q. You've asked for a supervisor to come; is  
2 that right?

3 A. Yes.

4 Q. The officer has advised you it will take  
5 additional time; is that right?

6 A. Right.

7 Q. You still asked for an -- for a  
8 supervisor to come?

9 A. Yeah.

10 Q. At no point did Ranger Steve Ward ever  
11 place you in handcuffs, did he?

12 A. No.

13 MS. BERS: Let's stop for a moment.  
14 Let's just take a break. We have five minutes  
15 remaining on tape, so why don't we stop and take  
16 a break. It's about 11:00, okay.

17 THE VIDEOGRAPHER: This is the end  
18 of Tape Number 1. Going off the record, the  
19 time is 11 a.m.

20 (Discussion off the record).

21 THE VIDEOGRAPHER: On the record,  
22 this marks the beginning of Tape Number 2. The  
23 time is 11:13.

24 BY MS. BERS:

25 Q. Mr. Embody, we're back after we took a

1 brief break, and we were talking about the  
2 events that occurred in the parking lot at  
3 Radnor Lake on December the 20th of 2009.

4 And when we left off, we were  
5 talking about the fact that you were there,  
6 along with the park rangers and Metro police  
7 officers.

8 Your contention in this lawsuit is  
9 that that took too long, that time in the -- in  
10 the parking lot; isn't that what you're saying  
11 in your lawsuit?

12 A. Basically, yes.

13 Q. And your contention is that this was all  
14 about the weapon that you were carrying at the  
15 time; isn't that right?

16 A. No, it -- actually, it's about my Fourth  
17 Amendment right.

18 Q. With regard -- all right. But the -- but  
19 the focus having been on the fact that you  
20 brought this weapon to Radnor Lake; is that  
21 right?

22 MR. DAVIDSON: Let me enter an  
23 objection to the form of the question.

24 BY MS. BERS:

25 Q. All right. Well, then let me -- let me

1 start again.

2 A. Okay.

3 Q. Basically, your contention, of course,  
4 when you were at Radnor Lake was that that  
5 weapon was a handgun; is that right?

6 A. That's correct.

7 Q. And that it was a handgun under Tennessee  
8 law; right?

9 A. That's correct.

10 Q. Now, before you went to Radnor Lake, I  
11 assume that you read the guns in park law; is  
12 that right?

13 A. That's correct.

14 Q. And I assume you also read the -- the  
15 definition in Tennessee law of a handgun, didn't  
16 you?

17 A. Yes.

18 Q. Well, okay, what -- what is the  
19 definition of a handgun under Tennessee law?

20 MR. DAVIDSON: I'm going to enter an  
21 objection on the grounds it's asking him to  
22 answer a legal question.

23 Go ahead.

24 BY MS. BERS:

25 Q. Well, I'm asking you a question about

1 something you had studied before you went to  
2 Radnor Lake.

3 And what was it that you learned  
4 before -- before you went to Radnor Lake about  
5 how this state defines a handgun?

6 A. In the state of Tennessee the laws are --  
7 are fairly confusing about that, because there  
8 are some laws that contradict each other, but  
9 generally a handgun is 12 inches or less.

10 And it depends on the statute you're  
11 reading, because some statutes are 12 inches and  
12 less; some are less than 12 inches, and they do  
13 not have a shoulder stock.

14 Q. All right.

15 MR. DAVIDSON: And I'm -- the same  
16 objection.

17 BY MS. BERS:

18 Q. And that's what you -- that's what you  
19 understood the law to be before you went to  
20 Radnor Lake that day; is that correct?

21 A. That's correct.

22 Q. Now, the weapon that you were carrying,  
23 you said was about 11 and a half inches, the  
24 barrel?

25 A. Yes.

1 Q. So the weapon that you were carrying was  
2 a half an inch shy of being outside what you  
3 understood to be the handgun definition?

4 MR. DAVIDSON: Again, let me object  
5 to the form of the question. I'm --

6 MS. BERS: All right.

7 MR. DAVIDSON: -- I don't think he  
8 understands what you're asking.

9 BY MS. BERS:

10 Q. Your understanding from what you have  
11 said, your understanding before that day was  
12 that a barrel length of less than 12 inches  
13 would qualify a weapon to be a handgun; is that  
14 right?

15 A. No.

16 Q. All right. What was your understanding  
17 then?

18 A. My understanding is that a weapon with a  
19 less -- with the barrel length of less than 11  
20 and a half inches, that does not have a shoulder  
21 stock, is considered a handgun within the state  
22 of Tennessee.

23 Q. All right. Was that a statute that you  
24 read that said that?

25 A. I think it's 3911.106, or it may have

1    been like 3311.106, but there's also a couple  
2    more in the -- in the 39.

3    Q.        So you yourself were confused about what  
4    a handgun would be?

5    A.        No, I'm not confused. Anything less than  
6    12-inch -- 12-inch barrel without a shoulder  
7    stock is a handgun in Tennessee.

8    Q.        So this particular weapon was 11 and a  
9    half inches, its barrel, without a shoulder  
10   stock; is that right?

11   A.        That's correct.

12   Q.        And so the barrel length of this  
13   particular weapon was a half an inch shy of  
14   being over the limit?

15   A.        Yes.

16   Q.        When you read up on the laws about  
17   handguns before you went to Radnor Lake, did you  
18   find anyplace in the law when you looked for it  
19   that said that a Draco AK-47 pistol was legally  
20   a handgun in Tennessee?

21   A.        No.

22   Q.        Before you went to Radnor Lake, did you  
23   give the park rangers or police any advance  
24   warning that you were going to in fact be  
25   carrying a Draco AK-47 pistol into Radnor Lake?

1 A. I didn't give warning that I was going to  
2 carry a Draco pistol, but I believe I called  
3 before to verify that there was no school field  
4 trips going on at that time.

5 I'm not -- I'm not 100 percent sure,  
6 but I've called other times to verify that  
7 there's no school trips going on.

8 Q. All right. But my question to you was  
9 whether or not you gave any advanced warning to  
10 the park or to the police that you were going to  
11 be carrying a Draco AK-47 pistol --

12 A. No.

13 Q. -- into Radnor?

14 A. No.

15 Q. The answer is no?

16 A. That's correct.

17 Q. We've already discussed the fact that in  
18 your discussion with Ranger Ward, you indicated  
19 that you thought that sometime you would be  
20 running into a park ranger; do you remember your  
21 saying that?

22 A. Did you say Ward or Walsh?

23 Q. Walsh, I'm sorry, I made that mistake.

24 A. Okay. Yeah, I -- I said that to Walsh.

25 Q. Okay. When you came to Radnor, other



1 than your handgun permit, you didn't bring any  
2 other types of useful information, such as the  
3 bill of sale, did you?

4 A. No.

5 Q. Nothing of that type to assist a ranger  
6 in determining if this assault-type weapon in  
7 fact came within the definition of a handgun?

8 A. No.

9 Q. After the event at Radnor on December the  
10 20 -- 20th of 2009, you took that same weapon to  
11 other public places?

12 A. I don't think I did. I don't -- I don't  
13 recall. I don't think I did.

14 Q. Did you ever take it to the Bicentennial  
15 Mall?

16 A. No.

17 Q. On December the 20th of 2009, park Ranger  
18 Steve Ward never asked any Metro police officer  
19 to arrest you, did he?

20 A. I don't know.

21 Q. In your earshot, did you hear anything of  
22 that nature?

23 A. No, I didn't hear anything of that  
24 nature.

25 Q. Do you have any information that he told

1 any police officer to arrest you?

2 A. No.

3 Q. To the best of your knowledge, Steve Ward  
4 never opposed any Metro police officer or  
5 officers when they allowed you to leave, did he?

6 A. I'm sorry, repeat the question.

7 Q. I will. Ranger Ward never opposed the  
8 Metro police when they allowed you to leave that  
9 day?

10 A. Why -- the question is messed up, because  
11 the police didn't allow me to leave. Ranger  
12 Ward allowed me to leave.

13 Q. Explain.

14 A. Ranger Ward is the one that accompanied  
15 me to my car and gave me my handgun back and  
16 told me to leave at 7 p.m. that night.

17 Q. And that's why you were saying he was the  
18 one to allow you to leave?

19 A. That's correct.

20 Q. Did the Metro officers oppose your  
21 leaving?

22 A. No.

23 Q. The only time that you know that Ranger  
24 Ward pointed a shotgun at you was when you were  
25 armed with an AK-47 across your chest; is that

1 right?

2 A. That's correct.

3 Q. When you were at Radnor Lake that day,  
4 Mr. Embody, you were in fact testing the  
5 authorities at Radnor to see what they knew  
6 about guns in park law, weren't you?

7 A. No, I -- I had already known they knew  
8 about the guns in park law.

9 Q. Were you testing to find out whether or  
10 not they would arrest you for carrying an AK-47  
11 at Radnor Lake State Park --

12 A. No.

13 Q. -- Natural Park? You were not?

14 A. No.

15 Q. That was not your intent?

16 A. That's right, it wasn't my intent.

17 Q. When you went that day, you purposefully  
18 and intentionally had painted the tip of your  
19 weapon, hadn't you?

20 A. I didn't paint it on that day, but I had--  
21 -- my weapon was painted that day.

22 Q. It was painted that day?

23 A. Yes.

24 Q. And you have made comments in the past  
25 that the orange tip on that weapon was intended

1 to confuse officers?

2 A. The comments that I've made on message  
3 forums are -- can't be taken literally. I mean,  
4 a lot of my comments are sarcastic. A lot of my  
5 comments happen to relate to other posts. So a  
6 post taken out of context doesn't make much  
7 sense. But, yeah, I -- I mean, I painted -- I  
8 painted it because I could paint the handgun.

9 Q. Because what?

10 A. Because I could paint it.

11 Q. Yes.

12 A. Since there's no law on painting a  
13 handgun, you know, I went ahead and painted the  
14 tip of my handgun, with the intent to later  
15 paint my entire handgun orange, so it was my  
16 first attempt to even paint a handgun.

17 Q. When did --

18 A. So -- so there wasn't a specific intent  
19 to confuse an officer. It was -- it was an  
20 intent to paint my handgun and -- and to have an  
21 orange handgun at the end.

22 Q. When did you paint your -- your weapon  
23 orange?

24 A. I don't recall the exact date, but it was  
25 after December 20th.

1 Q. Was it after you filed this lawsuit?

2 A. I think I painted it orange before.

3 Q. All right. But it was after this  
4 incident at Radnor that you painted the whole  
5 weapon orange; is that right?

6 A. That's correct.

7 Q. You heard officer -- or Ranger Walsh say  
8 to you that day that the orange threw him off,  
9 didn't you?

10 A. Yes.

11 Q. And you indicated to him that it was a  
12 custom job, the orange?

13 A. That's correct.

14 Q. Earlier in response to our request for  
15 production of documents, we discussed the  
16 documents or the papers -- the manual actually,  
17 that came with your Draco weapon.

18 Remember I showed you this first  
19 page, the owner's manual of Draco pistol?

20 A. Yes.

21 (Discussion off the record.)

22 BY MS. BERS:

23 Q. Flip over a couple of pages. You will  
24 see the "Ten Commandments of Firearm Safety."

25 Do you see them?

1 A. The "Basics of" gun -- "Of Safe Gun  
2 Handling"?

3 Q. Yes. Do you see the Ten Commandments  
4 there? It's called the "Ten Commandments of  
5 Firearm Safety"?

6 A. Yes.

7 Q. If you look at commandment Number 9,  
8 which is a couple of pages back, that  
9 commandment says, "Don't alter" -- "do not alter  
10 or modify your gun." Do you see that?

11 A. Yeah.

12 Q. When you painted the tip of that weapon  
13 orange, you were altering your weapon, weren't  
14 you?

15 MR. DAVIDSON: Objection. Form.

16 THE WITNESS: Yeah.

17 BY MS. BERS:

18 Q. When you were walking through Radnor on  
19 that day, December 20th of 2009, did you see any  
20 other individuals carrying a AK-47?

21 A. No.

22 Q. As a matter of fact, when you and Ranger  
23 Walsh were talking, an individual came up and  
24 asked you if that thing was real, didn't he?

25 A. Yes.

1 Q. So that particular individual was  
2 confused by your weapon; isn't that true?

3 MR. DAVIDSON: Objection to the  
4 form. He has no idea whether that person was  
5 confused or not.

6 BY MS. BERS:

7 Q. Well, that person needed to ask you  
8 whether or not that was -- was real; isn't that  
9 true?

10 A. I don't know if he needed to ask me. He  
11 was probably interested in the handgun.

12 Q. When Ranger Walsh encountered you, he  
13 indicated to you that he could not tell whether  
14 that was a real weapon or not, didn't he?

15 A. He asked me if it was real.

16 Q. He asked you if it was real. So during  
17 that -- during that time that we listened to the  
18 -- on the CD, at least two people during that  
19 time asked you whether or not that was a real  
20 gun; isn't that correct?

21 A. Yes, that's correct.

22 Q. Mr. -- that individual who came up and  
23 talked to you and Ranger Walsh; is that right?

24 A. Yes.

25 Q. And so Ranger Walsh, who is a law

1 enforcement -- law enforcement officer, you can  
2 surmise could not tell whether your weapon was  
3 real or not; is that correct?

4 A. At what point? When he -- when he first  
5 -- when he first saw me?

6 Q. When he asked you that question.

7 A. Yeah, he didn't -- he didn't know.

8 Q. Okay. You've indicated earlier that you  
9 -- you've carried a firearm with you wherever  
10 you go, or words to that effect; is that right?

11 A. Yeah, I'd say most of the time I carry a  
12 firearm. I can't say every time I go everywhere  
13 I carry a firearm, but I'd say most -- most  
14 times I go I -- most places I go, I carry a  
15 firearm.

16 Q. Were you carrying a firearm while you  
17 were driving the school buses for the Williamson  
18 County Board of Education?

19 A. No.

20 Q. That would be one time that -- that you  
21 were not?

22 A. Well, there's lots of times that I --  
23 that I wasn't, because I never carried -- in  
24 fact, I never carried a handgun onto Williamson  
25 County school property as an employee.



1 Q. So that particular -- in that -- in that  
2 job you did not carry a weapon with you when you  
3 were driving school buses?

4 A. That's correct.

5 Q. How about your other places of  
6 employment, did you carry a weapon with you at  
7 those various places of employment? And if you  
8 wish, you can look at interrogatory Number 5 in  
9 answer to that.

10 A. I carried it at Truck Tops, Et Cetera,  
11 but other than that, no.

12 Q. Have you ever gone to Radnor when you  
13 were not carrying a weapon?

14 A. Yes.

15 Q. How many times have you been to Radnor  
16 when you were not carrying a weapon?

17 A. Maybe two or three times.

18 Q. Have you been back to Radnor Lake since  
19 this incident on December 20th of 2009?

20 A. No, I'm scared.

21 Q. You were what?

22 A. I'm scared.

23 Q. Scared of what?

24 A. Scared of getting assaulted.

25 Q. What do you mean?

1 A. The last time I was there, I was detained  
2 for almost three hours and had a ranger point a  
3 shotgun at my face.

4 Q. When you said you had a ranger point a  
5 shotgun at you, it was at a time that you  
6 yourself were carrying an AK-47 across the chest  
7 of your body; is that right?

8 A. Well, no, I was carrying a AK-47 type  
9 handgun.

10 Q. What is the difference between an AK-47  
11 type handgun and an AK-47?

12 A. AK-47 is typically full automatic, a  
13 machine gun, and it's an assault rifle, whereas  
14 this is a pistol. It is designed as a pistol.  
15 It's manufactured as a pistol. It's imported as  
16 a pistol, and it's sold as a pistol.

17 Q. Okay. And that makes it not an AK-47?

18 A. That's correct, it's semiautomatic.

19 MR. DAVIDSON: Let me object to the  
20 form. He's not an expert in this stuff.

21 Again, go ahead and answer the best  
22 way you can.

23 THE WITNESS: Okay. I'm sorry, can  
24 you repeat the question?

25 BY MS. BERS:

1 Q. So that makes it not an AK-47?

2 A. That's correct.

3 Q. So you deny that the weapon that you were  
4 carrying at the time of this incident on  
5 December 20th of 2009 was an AK-47?

6 MR. DAVIDSON: Counsel, I'm going to  
7 object. This is not questioning. This is  
8 arguing with the witness.

9 MS. BERS: No.

10 MR. DAVIDSON: The document speaks  
11 for itself as to what type of weapon this was.  
12 There's no question about what kind of weapon it  
13 was. And this line of questioning is just  
14 argumentative, and I object to it.

15 MS. BERS: This is the first time,  
16 Counsel, that I've heard that this is not an  
17 AK-47.

18 MR. DAVIDSON: Again, I'm going to  
19 object. This is argument. The document -- did  
20 you introduce the owners' manual as the -- as an  
21 exhibit?

22 MS. BERS: I'm about to.

23 MR. DAVIDSON: Well, let's do that.  
24 Let's let the owner's manual tell -- tell the  
25 Court and the jury what kind of weapon this is.

1 My client is not an expert in this.

2 MS. BERS: All right. Let's make  
3 the next numbered exhibit, let's make both the  
4 interrogatory responses and the request for  
5 production of document responses the next  
6 collective exhibit to Mr. Embody's deposition.

7 MR. DAVIDSON: No objection.

8 (Document marked as Exhibit 6.)

9 BY MS. BERS:

10 Q. Mr. Embody, I'm going to show you some  
11 photographs, and ask you -- let me show you this  
12 first one. Can you see it?

13 MR. DAVIDSON: Did we provide these  
14 to you?

15 THE WITNESS: I don't -- I don't  
16 remember getting those.

17 MR. DAVIDSON: Can I ask, did we  
18 provide these to you?

19 MS. BERS: They may have been --  
20 they may have been in my disclosure to you,  
21 Mr. Davidson.

22 MR. DAVIDSON: I don't remember ever  
23 seeing this, this picture, but anyway.

24 BY MS. BERS:

25 Q. Do you recognize that as the weapon that

1 you were carrying on December 20th of 2009 at  
2 Radnor?

3 A. Yes.

4 Q. Do you recognize the magazine and the  
5 round that is pictured as -- with that weapon  
6 that you were carrying that day?

7 A. Yes.

8 MS. BERS: Okay. Let's make that  
9 the next-numbered exhibit.

10 (Document marked as Exhibit 7).

11 MS. BERS: Let me take a break, and  
12 I just want to confer with counsel outside in  
13 the hallway.

14 THE VIDEOGRAPHER: Going off the  
15 record. The time is 11:35.

16 (Discussion off the record.)

17 THE VIDEOGRAPHER: Back on the  
18 record. The time is 11:40.

19 BY MS. BERS:

20 Q. Mr. Embody, while -- while you are up  
21 there, would you please demonstrate to us how  
22 you fire that weapon that you had with -- with  
23 you on that day at Radnor?

24 MR. DAVIDSON: And I'm going to  
25 object to the form.

1 BY MS. BERS:

2 Q. How would you fire it?

3 A. The -- there's several different ways to  
4 fire it. You can have it supported by the sling  
5 and just have the sling around your neck and  
6 have it supported; you have it pushed away from  
7 your body. You can fire it with one hand. You  
8 can fire it with two hands on the grip. You can  
9 fire it with one hand on the grip, one hand on  
10 the shroud. I don't know.

11 Q. Those would be the various ways that --

12 A. Those would be the ways that I could  
13 think of.

14 Q. That you would fire it?

15 A. That particular handgun.

16 Q. When -- when you were in the parking lot  
17 that day at Radnor Lake, you never heard Steve  
18 Ward ever say to you "you are under arrest," did  
19 you?

20 A. No.

21 Q. You never heard Steve Ward -- or you  
22 never had Steve Ward handcuff you; did -- did  
23 you?

24 A. I never asked anyone to handcuff me.

25 Q. No. The question was, Ranger Ward never

1 handcuffed you; is that correct?

2 A. That's correct.

3 Q. It was a Metro police officer who  
4 handcuffed you; is that right?

5 A. Yes.

6 Q. And in fact, it was a Metro police  
7 officer who released you from the handcuffs; is  
8 that right?

9 A. Yes.

10 Q. And the only time that you were placed in  
11 the handcuffs was for a time when you were  
12 placed in the Metro patrol car; is that right?

13 A. Yes.

14 Q. The other times your hands were totally  
15 free; is that right?

16 A. Yes.

17 Q. You were offered at one time the option  
18 of being issued a citation, weren't you?

19 A. Yes.

20 Q. And you turned that down, didn't you?

21 A. Yes.

22 Q. As a matter of fact, you preferred that  
23 they take you -- that the officers from Metro  
24 take you to -- downtown to police headquarters  
25 instead; is that right?

1 A. Yes.

2 Q. And so the officers agreed that that's  
3 what they would do?

4 A. No, I think they called their -- I think  
5 they called the police sergeant at that point.

6 Q. All right. But -- but at one point they  
7 -- they did concur with your request that you be  
8 taken downtown; is that right?

9 A. I don't know. I don't think so, because  
10 they didn't take me downtown.

11 Q. But they were -- they placed you in a  
12 patrol car; is that right?

13 A. Yes.

14 Q. And what was your understanding of why  
15 they placed you in the patrol car?

16 A. I don't know. At that time -- at that  
17 time I think they were conferring with Ranger  
18 Ward, with all of the other police officers,  
19 with their police sergeant.

20 And they were -- they were just  
21 conferring and trying to figure out if they were  
22 going to take me downtown or if they were going  
23 to release me.

24 I -- I didn't know -- I didn't know  
25 what -- they didn't really tell me -- I was



1 sitting on the hood of the police car, and they  
2 said -- and they said -- they read me my rights;  
3 they put me in handcuffs, put me in the back of  
4 the car.

5 Q. Who did that?

6 A. One of the police officers.

7 Q. From Metro?

8 A. Yes.

9 MS. BERS: That's all. Thank you,  
10 Mr. Embody.

11 THE VIDEOGRAPHER: Going off the  
12 record. The time is 11:45.

13 (Discussion off the record.)

14 MR. DAVIDSON: We'll read.

15 FURTHER DEPONENT SAITH NOT.

16 (Proceedings concluded at 11:45  
17 a.m.)

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REPORTER'S CERTIFICATE

I certify that the witness in the foregoing deposition, LEONARD STANNIE EMBODY, was by me duly sworn to testify in the within entitled cause; that the said deposition was taken at the time and place therein named; that the testimony of said witness was reported by me, a Shorthand Reporter and Notary Public of the State of Tennessee authorized to administer oaths and affirmations, and said testimony, pages 5 through 89 was thereafter transcribed into typewriting.

I further certify that I am not of counsel or attorney for either or any of the parties to said deposition, nor in any way interested in the outcome of the cause named in said deposition.

IN WITNESS WHEREOF, I have hereunto set my hand this 19th day of October, 2010.



A handwritten signature, appearing to be "SA", written in ink.

Sandra Andrys, RMR, TLCR No. 583  
My License Expires: 9-9-14

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[illegible]

Notary Public

My Commission Expires:



THR > Tools and Technologies > Handguns: Autoloaders		User Name <input type="text"/>	<input type="checkbox"/> Remember Me?
<b>What is the best self defense ammo for my ak pistol?</b>		Password <input type="password"/>	
<a href="#">Rules</a>	<a href="#">Copyright</a>	<a href="#">Register</a>	<a href="#">FAQ</a>
		<a href="#">Calendar</a>	

Page 1 of 2 **1** 2 >

Thread Tools / Display Modes

December 18, 2009, 03:33 PM

#1

**kwikrnu**  
member

Join Date: May 8, 2008  
Location: tennessee  
Posts: 106

### What is the best self defense ammo for my ak pistol?

I don't think my smith and wesson .38 special j frame is going to cut it for self defense anymore. So I'm going to start carrying my AK-47 pistol and an extra magazine or three. What is considered the best self defense ammo for this semi-automatic handgun?

This image or video has been moved or deleted



#### Public Service Announcement



**GrassRoots GunRights**

South Carolina's "No Compromise, No Surrender" gun rights organization

December 18, 2009, 03:37 PM

#2

**rcmodel**  
Member

Join Date: September 17, 2007  
Location: Eastern KS  
Posts: 22,068

Well, you can call it a handgun if you want too. But it isn't.

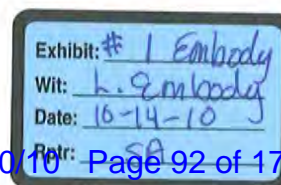
As for using 7.62x39 for a SD weapon?

I would only use expanding hollow-point varmint loads. And pray over-penetration didn't kill someones grandma or baby four blocks down the street!

Quote:

extra mag or three

Wait, this is a joke post, right? ☹



rc

If you don't belong to the NRA  
Don't come whining about it when the next Gun Control Act gets passed!

December 10, 2009, 03:42 PM

**kwikrnu**  
member

Join Date: May 8, 2008  
Location: tennessee  
Posts: 106

Quote:

Originally Posted by **rcmodel**  
*Well, you can call it a handgun if you want too.  
But it isn't.*

It is a handgun and classified as such in I think all States and the BATF.  
I'm limited to 7.62x39 because that is all it will shoot.

December 18, 2009, 03:49 PM

**rellascout**  
Member

Join Date: December 22, 2004  
Posts: 2,117

Gotta agree with rcmodel here... using a 7.62 pistol as an urban defense weapon is absurd.

It is way to powerful and if you ever have to use it you run the risk of killing someone other than the intended target.

Due to the barrel length is may very well be considered a class 3 SBR pistol according to the NFA but it is not a pistol in any practical sense of the term.

My advice is get a shotgun.

"It's just a tool box. You pick the tool for the job." -Sam from Ronin

"It's just a gun it does not define you as a human being. Don't make a bigger deal out of it then it needs to be. It is just a tool."

December 18, 2009, 03:59 PM

**panoz77**  
Member

Join Date: September 1, 2009  
Location: NE Ohio  
Posts: 69

Is it me, or does that "AK pistol" pictured have an orange tip, ROFL, I think the OP is trying to act like he is serious in a very weak attempt at starting a troll thread. Were you planning on your "mag or three" being 30 rounders or 40, I think 3 75 round drums would maximize your capacity.

DRACO owners unite!!!!!!!!!!

Smoke em' if you got em'

December 18, 2009, 03:57 PM

**Z-Michigan**  
Member

This is a joke, right?

Real defensive pistols are belt-fed.



Join Date: May 19, 2008  
Location: Michigan  
Posts: 2,273

December 16, 2009, 03:57 PM

**kwikrnu**  
member

Join Date: May 8, 2008  
Location: tennessee  
Posts: 106

Quote:

Originally Posted by **rellascout**  
*Due to the barrel length is may very well be considered a class 3 SBR pistol according to the NFA*

What is a class 3 short barreled rifle pistol? I've never heard of that.

December 17, 2009, 04:02 PM

**kwikrnu**  
member

Join Date: May 8, 2008  
Location: tennessee  
Posts: 106

Quote:

Originally Posted by **panoz77**  
*Is it me, or does that "AK pistol" pictured have an orange tip, ROFL, I think the OP is trying to act like he is serious in a very weak attempt at starting a troll thread. Were you planning on your "mag or three" being 30 rounders or 40, I think 3 75 round drums would maximize your capacity.*

The 75 drums are too wide and the 40 rounders are too long. The 30 round magazines work best I think.

I painted the muzzle nut/thread protector "blaze orange" because I have safety in mind. It means no one can and will shoot at me.

December 18, 2009, 04:02 PM

**rellascout**  
Member

Join Date: December 22, 2004  
Posts: 2,117

Troll alert.

"It's just a tool box. You pick the tool for the job." -Sam from Ronin

"It's just a gun it does not define you as a human being. Don't make a bigger deal out of it then it needs to be. It is just a tool."

December 18, 2009, 04:05 PM

**panoz77**  
Member

Join Date: September 1, 2009  
Location: NE Ohio

Ya thinks?

Smoke em' if you got em'

Posts: 69



December 16, 2009, 04:10 PM

#11

**DHaught**  
MemberJoin Date: November 7,  
2009  
Posts: 13

Quote:

Originally Posted by **rellascout**  
*Gotta agree with rcmodel here... using a 7.62 pistol as an urban defense weapon is absurd.**It is way to powerful and if you ever have to use it you run the risk of killing someone other than the intended target.**Due to the barrel length is may very well be considered a class 3 SBR pistol according to the NFA but it is not a pistol in any practical sense of the term.**My advice is get a shotgun.*

I don't think there's a such thing as a "SBR pistol" (Short Barrelled Rifle pistol)



December 17, 2009, 04:13 PM

#12

**DHaught**  
MemberJoin Date: November 7,  
2009  
Posts: 13

You better get a good IWB holster for that thing and make sure you don't print. You don't want to get "made".

I would also put a crimson trace grip and some night sights on it. Maybe a Hogue grip sock, or just some electrical tape on the grip.



December 18, 2009, 04:17 PM

#13

**kwikrnu**  
memberJoin Date: May 8, 2008  
Location: tennessee  
Posts: 106

In my State we open carry, so I think a two point sling will work good.



December 18, 2009, 04:24 PM

#14

**Carne Frio**  
MemberJoin Date: August 28,  
2008  
Location: Near Fairbanks  
Posts: 241

I prefer the 20 round Hungarian magazines for my AK pistol. Federal makes a 125 gr spire point that works fine. Brownbear also has hollowpoints.

December 18, 2009, 04:27 PM

#15

**NG VI**  
Member

Yeah a sling would cover your holster needs just fine, as would duct taping it to your second trauma plate. Or is that spot reserved for taping a third trauma plate on?

Join Date: December 12, 2007  
Location: Maine  
Posts: 3,132

Quote:

Quote:

"The Les Baer 1911 feels like a man's tool, no doubt about it.

...you may want to re-word that.

December 18, 2009, 04:11 PM

#16

**rellascout**  
Member

Quote:

I don't think there's a such thing as a "SBR pistol" (Short Barrelled Rifle pistol)

Join Date: December 22, 2004  
Posts: 2,117

The pistol part is a joke... like this thread.

"It's just a tool box. You pick the tool for the job." -Sam from Ronin

"It's just a gun it does not define you as a human being. Don't make a bigger deal out of it then it needs to be. It is just a tool."

December 18, 2009, 10:49 PM

#17

**kwikrnu**  
member

Quote:

Originally Posted by **rellascout**  
*The pistol part is a joke...*

Join Date: May 8, 2008  
Location: tennessee  
Posts: 106

It sounded more like you had no idea what you were talking about. This thread is no joke. As soon as I get my sling mounted I'll have a pic or two of me open carrying the firearm around town.

December 18, 2009, 1:30 PM

#18

**sarduy**  
Member

forget about the ak-pistol go with this

Join Date: April 13, 2007  
Location: Florida  
Posts: 2,059





**Kalashnikov Picture Club**



December 18, 2009, 11:02 PM

#19

**sarduy**  
Member

Quote:

I'll have a pic or two of me open carrying the firearm around town.

Join Date: April 13, 2007  
Location: Florida  
Posts: 2,059

you will become the target!

**Kalashnikov Picture Club**



December 18, 2009, 11:04 PM

#20

**Erik M**  
Member

Quote:

Join Date: June 14, 2009  
Location: Black Mountain, Kentucky  
Posts: 1,136

Originally Posted by **sarduy**  
forget about the ak-pistol go with this



Even the haircut is a deadly weapon. I would mount ma deuce to that chrysler in the background.

Also, its an AK, i would stick with standard ball ammo.

~ ΜΟΛΩΝ ΛΑΒΕ ~

December 18, 2009, 11:05 PM

#21

**kwikrnu**  
member

Quote:

Originally Posted by **sarduy**  
*you will become the target!*

Join Date: May 8, 2008  
Location: tennessee  
Posts: 106

Open carry deters crime. No regular joe citizen open carrying a gun has been attacked for his gun that I have ever read about.

December 18, 2009, 11:08 PM

#22

**Vonderek**  
Member

Since it's replacing your J-frame, make sure you buy pants a size bigger. Finding a pocket holster will be a challenge though....

Join Date: July 9, 2006  
Posts: 812

December 18, 2009, 11:11 PM

#23

**rellascout**

Good luck with that...your an idiot.



## Member

"It's just a tool box. You pick the tool for the job." -Sam from Ronin

Join Date: December 22, 2004

Posts: 2,117



"It's just a gun it does not define you as a human being. Don't make a bigger deal out of it then it needs to be. It is just a tool."

December 18, 2009, 11:11 PM

#24

### Darthbauer

Member

Look at the OP location. He might actually open carry an AK pistol with some of the people I have seen come out of that area.

"Mass Genocide is the most exhausting activity one can engage in, next to soccer."

Join Date: April 1, 2007

Posts: 648



December 18, 2009, 11:16 PM

#25

### highorder

Member

Be sure it doesn't cover your CCW badge, or tear your tin foil hat.

Also, the painted tip?... for sake of a punchline, explain how its for safety?

"If I said it, I must have meant it; so I owe him an apology, or nothing at all." - HST

Join Date: October 7, 2007

Location: Cincinnati

Posts: 3,607



Closed

Page 1 of 2 **1** 2 >

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[Handguns: Autoloaders](#)

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Thread	Thread Starter	Forum	Replies	Last Post
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<a href="#">AOW or not? AK pistol with folding</a>	cpileri	Legal	12	August 26, 2004 09:28

FOWARD pistol grip...					PM
<a href="#">AK-47 For Self Defense</a>	w1mnk	Legal	2	April 20, 2004 07:47	PM
<a href="#">AK-47 Defense Ammo? What do you recommend?</a>	Logistar	Rifle Country	24	July 22, 2003 12:50	PM
<a href="#">Is choosing defense ammo based on available practice ammo rational?</a>	DMK	Handguns: General Discussion	7	April 19, 2003 03:16	AM

All times are GMT -4. The time now is 11:06 AM.

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I think they handled it as well as could be expected. I felt the cop who was trying to charge me with a violation of 39-17-1311 had no basis for the charge.

Radnor Lake rules

Tennessee State Code

Picture of park sign  
<http://i145.photobucket.com/albums/r...orlakesign.jpg>

Carrying handguns in State Parks is legal with a handgun carry permit regardless of what the sign says.

see New Law public Chapter 428

Because signage prohibiting the possessing of firearms while within or on a public park, natural area, historic park, nature trail, campground, forest, greenway, waterway or other similar public place that is owned or operated by the state, or instrumentality thereof, and posted pursuant to Â§ 39-17-1311, prior to July 1, 2009, remains necessary for visitors who are not authorized to carry a firearm pursuant to subsection (b), the department shall not replace or change any existing signs that prohibit firearms or erect any new signs at existing state areas relative to firearms. However, the department may replace or repair signs that have been damaged or are scheduled for replacement in accordance with the park's regular replacement schedule.

Picture of firearm  
<http://i145.photobucket.com/albums/r226/kwikrnu/ak6.jpg>

---

Mike

12-20-2009 05:26 PM

imported post

So, it remains illegal to carry long guns in TN state parks?

---

kwikrnu

12-20-2009 06:26 PM

imported post

It is legal to carry with a permit, the Legislature decided in their infinite wisdom that the signs do not have to be changed to reflect the change in the law.

They tried to charge me with 39-17-1311 which prohibits rifles in parks. They couldn't grasp that the AK-47 pistol I carried was a pistol even though it does not meet the definition of a rifle.

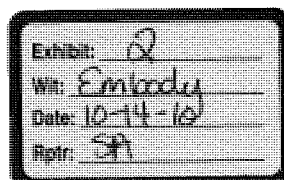
If cops don't know the law how are they going to charge me with a crime? They aren't supposed to guess if people break the law and arrest them based upon a guess are they?

---

Mike

12-20-2009 06:36 PM

imported post



**kwikrnu wrote:**

Quote:

*It is legal to carry with a permit,*

What do you mean by "it" - the gun ou were carrying, or long guns generally.

---

**kwikrnu**

12-20-2009 06:49 PM

imported post

**Mike wrote:**

Quote:

**kwikrnu wrote:**

Quote:

*It is legal to carry with a permit,*

*What do you mean by "it" - the gun ou were carrying, or long guns generally.*

The handgun I was carrying. You can't carry a rifle with a permit. You can transport a loaded rifle, but no rounds in the chamber, in your car with a permit.

---

**McX**

12-21-2009 12:49 AM

imported post

that is definitely one hell of a pistol!

---

**WCrawford**

12-21-2009 02:01 AM

imported post

kwikrnu, I think you need to get an "adventure buddy". Alone you seem to be an idiot magnet.

Did you have your recorder with you for this? I'd love to hear the audio if available.

---

**kwikrnu**

12-21-2009 02:51 AM

imported post

The batteries died. I only have a partial of the conversation I had with the first park ranger. I need to get an external mic and double check the batteries before I leave the house next time, although I thought it showed full battery.

I'm going to file a complain against the metro police and tn state parks. I will open carry the ak again.

My main concern is they wanted to charge me with a crime so bad. I thought it was illegal for cops to make up charges. Don't they need PC to make an arrest?

I get them stopping me for reasonable suspicion, but pointing a shotgun? I had already spoken to one ranger and showed him my carry permit and was not a threat. My hands were not near my handgun and I made no threatening moves before the second pointed a shotgun at me.

I would think they would of needed PC to arrest me. Wouldn't PC be something like, the gun is a rifle? Clearly it is not a rifle because it has no stock.

---

Fallguy

12-21-2009 03:20 AM

imported post

While OCing this weapon may have been technically legal, not sure it was the wisest decision.

I mean is this the only carry weapon you have?

---

ProguninTN

12-21-2009 03:26 AM

imported post

Mike, yes it is generally illegal to carry long guns in TN. As the poster stated, the legislature did pass a transportation exception for permit holders, however no rounds can be chambered. (Very idiotic that permit holders can have their handguns chambered but not their long guns. )

---

kwikrnu

12-21-2009 03:27 AM

imported post

**Fallguy wrote:**

Quote:

---

*While OCing this weapon may have been technically legal, not sure it was the wisest decision.*

*I mean is this the only carry weapon you have?*

---

It makes no difference how many handguns I own. The AK-47 pistol is a handgun and it is not illegal to carry it.

---

kwikrnu

12-21-2009 03:30 AM

imported post

**ProguninTN wrote:**

Quote:

---



*It is illegal to carry long guns period.*

---

No it isn't. You may carry and unloaded long gun if there are no laws against the carry of that long gun. For example Williamson County and Franklin TN have no laws against the carry of a long gun. I could carry an unloaded one down the street just fine. Of course I would have to avoid off limit places such as parks and I believe I would have to stay 1000' away from schools too.

---

ProguninTN

12-21-2009 03:38 AM

imported post

Yes, but what will you do with an unloaded rifle, use it as a club ?

---

kwikrnu

12-21-2009 03:46 AM

imported post

You claimed carrying of long guns was illegal, PERIOD. Do whatever you want with an unloaded long gun. It is not illegal to carry it most places, but local ordinances need to be checked first.

---

protias

12-21-2009 03:47 AM

imported post

Off topic, but why do you have an orange tip?

---

kwikrnu

12-21-2009 03:56 AM

imported post

Safety. cops don't shoot people with orange tipped handguns. When they do they think twice about it. Since most people assume it is an airsoft toy I will probably generate fewer MWAG calls.

---

ProguninTN

12-21-2009 03:58 AM

imported post

**kwikrnu wrote:**

Quote:

---

*You claimed carrying of long guns was illegal, PERIOD. Do whatever you want with an unloaded long gun. It is not illegal to carry it most places, but local ordinances need to be checked first.*

---

Yes I did, but then I went back and edited the post after I realized it could be misconstrued. (Notice the bottom where it shows I did so about 3 min. after the original.)



---

kwiknu

12-21-2009 04:07 AM

imported post

Okay, I see you changed the post now. We're good.

---

turbodog

12-21-2009 04:51 AM

imported post

If the firearm in the photo is yours, I can clearly see the confusion. That looks like a rifle with no shoulder stock to me too.

If you want to carry a handgun with less hassle, I would certainly go with something that looks more like a handgun and less like a rifle.

Just because it's legal to carry doesn't mean it's the right thing to carry.

Just my 2 cents bro.

---

kwiknu

12-21-2009 04:54 AM

imported post

I called in a complaint to the internal investigations / professional accountability. I spoke with Detective Carter. I complained that being detained for 2.5 hours was excessive. What troubled me most about the phone call was that he thoughtone could only carry concealed (this is going to be an uphill battle). He said he would try and find out who the officers involved were and what the situation was. He said I would be informed of the status of my complaint in writing.

---

kwiknu

12-21-2009 04:57 AM

imported post

**turbodog wrote:**

Quote:

---

*If the firearm in the photo is yours, I can clearly see the confusion. That looks like a rifle with no shoulder stock to me too.*

*If you want to carry a handgun with less hassle, I would certainly go with something that looks more like a handgun and less like a rifle.*

*Just because it's legal to carry doesn't mean it's the right thing to carry.*

*Just my 2 cents bro.*

---

Just because it is legal to carry a 9mm you shouldn't because it looks dangerous. Everyone should carry a .22lr handgun.:celebrate

The point is carrying a handgun in a park is okay so why was I detained 2 1/2 hours?

---

---

Mike

12-21-2009 05:46 AM

imported post

**kwikrnu wrote:**

Quote:

---

*The point is carrying a handgun in a park is okay so why was I detained 2 1/2 hours?*

---

Sounds like because you really pushed the limit as to what a "handgun" is and you appeared to the police to be disguising the gun as a toy with an orange cap, and carried like a rifle slung over your back at that - every judge in the world is going to cut the police a break on this, and give them qualified immunity.

Next time try a normal looking handgun in a proper holster.

---

turbodog

12-21-2009 06:09 AM

imported post

**kwikrnu wrote:**

Quote:

---

**turbodog wrote:**

Quote:

---

*If the firearm in the photo is yours, I can clearly see the confusion. That looks like a rifle with no shoulder stock to me too.*

*If you want to carry a handgun with less hassle, I would certainly go with something that looks more like a handgun and less like a rifle.*

*Just because it's legal to carry doesn't mean it's the right thing to carry.*

*Just my 2 cents bro.*

---

*Just because it is legal to carry a 9mm you shouldn't because it looks dangerous. Everyone should carry a .22lr handgun.:celebrate*

---

*The point is carrying a handgun in a park is okay so why was I detained 2 1/2 hours?*

---

Most 9mm and .22 cal handguns look like the "common conception" of handguns, so I would expect no or minimal hassle from LEO in their case. But that thing you carried looks too much like an assault rifle, whether legally a handgun or not. You say you carried it "slung" across your back at one point, yes? Most folks don't sling carry a sidearm on their back. That's a method of carrying a rifle not a pistol. I do understand where they were coming from in detaining you over it.

Feel free to carry what ya want brother but I'm just sayin don't be gettin pissed or surprised at the reaction to that particular firearm. The AK has a fearsome reputation in the world and that's what you're up against carrying that.

When you OC you automatically, wether intended or not, and wether you say a word about it or not, become a spokesman for the right to OC. Others will look at what you carry, how you carry it and how you deport yourself while carrying. While you might possibly be a great guy, polite, generous, kind to small children and animals and all that, it still wouldn't make that firearm the right one for a spokesman to open carry because nobody sees you, all they see is the gun beloved of terrorists and drug thugs. Sorry bro, but that's a painful truth no matter how much YOU love that firearm.

See what I'm gettin at brother? No offense intended here.

---

Fallguy

12-21-2009 06:10 AM

imported post

**Mike wrote:**

Quote:

---

***kwikrnu wrote:***

*Quote:*

---

*The point is carrying a handgun in a park is okay so why was I detained 2 1/2 hours?*

---

*Sounds like because you really pushed the limit as to what a "handgun" is and you appeared to the police to be disguising the gun as a toy with an orange cap, and carried like a rifle slung over your back at that - every judge in the world is going to cut the police a break on this, and give them qualified immunity.*

---

*Next time try a normal looking handgun in a proper holster.*

---

I agree also being detained for 2 1/2 hours is probably better than simply being arrested and explaining it all to the judge.

I hope you get some sense of satisfaction from your complaint, but to be honest I'm not sure I can fault the LEOs in this matter. ...and I among the first to speak out if I feel they have overstepped any bounds.

But it does sound like Detective Carter is thinking of carry in National parks in a couple of months on concealed carry only though.

---

aadvark

12-21-2009 08:51 AM

imported post

In Tennessee, it is perfectly Legal to Open Carry a Long Gun, provided; that you are not a Felon, Drug Abuser, etc., and the Long Gun is Unloaded.

This is codified under 39-17-1307(a)(2)(A), but 39-17-1308(a)(1) and 39-17-1308(a)(5) both provide Lawful defenses from prosecution under 39-17-1307(a)(2)(A) as long as the Person in question is not a Person outlined under 39-17-1307(b)(1)-i.e. as stated above- Felons, and Drug Felons, in addition to Persons who are trying to commit a non/dangerous offense or who are prohibited under 18 U.S.C. 922(g)(8) or 18 U.S.C. 922(g)(9).

Furthermore 39-17-1307(e) provides an additional defense for Persons who are in their own Private Motor Vehicles as long as the Long Gun is not Loaded, but may be if they hold a Permit or are acting in Self-Defense.

Additionally, 39-17-1308(a)(3)(A) through 39-17-1308(a)(3)(C) provide exceptions, whether the same (Firearm/Long Gun) is Loaded or not while the Person in question is in/on/within their own: 1. Home, 2. Land(Premises), or 3. Place of Business, provided further, that the Person is not a Person who is ineligible under 39-17-1307(b)(1)-Felon, Drug Felon, or is otherwise ineligible under 18 U.S.C. 922(b) and 18 U.S.C. 922(g).

All times are GMT -5. The time now is 11:56 AM.

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## View Single Post

Thread: UPDATE: Charges dropped against hiker in military gear with air rifle

08-23-2009, 14:56

#51

kwikrnu

Senior Member

Join Date: Sep 2004  
Location: Tennessee  
Posts: 1,574

## Quote:

Originally Posted by **Sam Spade**

Beggin' your pardon, I told you what the statute was: Disorderly conduct.  
Beggin' your pardon again, I told you what the applicable elements of the crime are:  
Engaging in seriously disruptive behavior that disturbs the peace of a neighborhood.

He wasn't charged with shooting at people (attempted murder). He wasn't charged with aiming his rifle at people (aggravated assault). He was charged with disorderly conduct. See above.

And would you please fill me in on your location? You're making authoritative-sounding statements about what the laws say, and I'm trying to figure out why you're going wrong. See, I know what they say, and I've been to the area so I know what the neighborhood looks like and acts like. You?

What was he doing that was "seriously disruptive"?

I can't wait for a cop to arrest me because I open carried a handgun and someone called 911. It's almost happened twice but no cigar, yet. Maybe carrying a PLR-16 or AK pistol will change that.

Last edited by kwikrnu; 08-23-2009 at 15:03.



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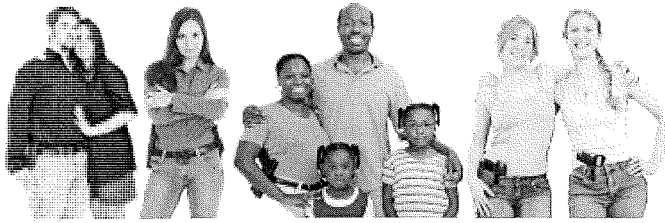
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## detained in a TN State Park for 2.5 hours nearly arrested because cops don't know definition pistol

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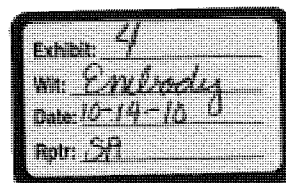
kwikrnu

12-20-2009 03:15 PM

imported post

I went to the Tennessee State Radnor Lake State Park this afternoon to take in some nature and get some exercise. I dressed in boots, blue jeans, t-shirt, vest, and an old military issue gore-tex woodland camo jacket. I carried my new Romanian Draco AK pistol loaded with 31 123 grain FMJ ammunition from Walmart. I arrived at approximately 3:30 pm and with the pistol slung on my back I started my walk. It was mostly uneventful. I saw no deer and passed maybe 30 hikers. As I reached the end of the trail I made sure no one was close by and shifted the ak-47 pistol to the front of my body. I reached the end of the trail and turned onto the roadway where I saw the first ranger of the day. He asked me if it was an airsoft and I said no it was an AK-47 type pistol. He looked at me strangely and asked to see my permit. I showed my Tennessee handgun carry permit. He asked where I parked and I told him. He said I could keep walking I kept walking as he called someone. By the time I reached my car the ranger was no where in sight as I walk quickly. However, another ranger vehicle pulled in the parking lot and a ranger jumped out with a shotgun pointed at me and yelled at me to stay still and put the weapon on the ground. After I put the weapon down he told me to move away which I did. He then told me to put my face on the ground and my arms on my head. I complied. I think he had a gun trained on me the whole time, but I couldn't see. He searched me quickly and put my AK into the truck. This particular ranger has seen me before and has asked to see my TN handgun carry permit. He asked to see the permit again and asked for my driver license. I told him I would not give him my license, but he could see the permit.

Three Nashville metro cop cars showed up pretty quickly. They talked among themselves for about an hour and then a cop pulled out a citation for arrest. It said I was being arrested for 39-17-1311 unlawful possession of a weapon. He asked me to sign and I told him I wanted to speak with his supervisor. He said okay, but that it would take a long time and he just wanted to cite and release me for my convenience (yeah right). I asked what part of 39-17-1311 I violated he said I couldn't carry a rifle. I told him my firearm was classified as a pistol. It has no stock and never had a stock. I also pointed out that it has an 11.5" barrel with complies with the length of a handgun definition in Tennessee. He said it looks like I had cut the stock off and another said they had never heard of a 7.62x39 handgun. It took about another ½ hour for the sergeant to show up. In the meantime one of the original cops left, another park ranger came and left and two more cops showed up. The sergeant showed and I tried to explain that the firearm was a handgun. I also told him if they were going to arrest me to just take me in front of the magistrate right away. They spent another ½ hour asking me if I had a form 1, that the ATF classifies my pistol as a rifle, and they had never seen an AK pistol before. Finally they told me they had gotten in touch with the manufacturer and the manufacturer said it indeed was a pistol. I highly doubt that, but that is what they told me. They released the handcuffs, and gave me back my magazine, ammo, and pistol.



**Exhibit 5**  
**Audio Disc**  
**(not attached)**

**To be filed separately**

**By permission of the  
Court**

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
AT NASHVILLE

LEONARD S. EMBODY,

Plaintiff,

V.

STEVE WARD, individually,

Defendant.

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NO. 3:10-cv-00126

JURY DEMAND

JUDGE HAYNES

**DEFENDANT'S FIRST SET OF INTERROGATORIES TO PLAINTIFF**

INTERROGATORY NO. 1: State your full name, address, date and place of birth.

RESPONSE:

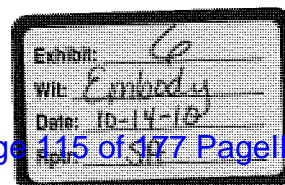
Leonard Stannie Embody  
6620 Valley Dr.  
Brentwood, TN 37027

Walnut Creek, California

INTERROGATORY NO. 2: State all other names you have ever gone by, with inclusive dates during which you used that name. This includes all names or appellations in any forums, blogs, internet discussion boards, news forums or any other websites related to transmissions on the internet that you have used to enter information, opinions, or other material, including, but not limited to, as a member or subscriber.

RESPONSE:

Lenny Embody, Lenny Stannie Embody until about 1990. Leonard Embody or Leonard Stannie Embody from 1990-2010. Kwikrnu, Kwirnu, Easterisland, Isladepascua, Leonardembody, as I recall.



INTERROGATORY NO. 3: Identify pursuant to Fed. R. Civ. P. 26(a)(2) each person whom you anticipate calling as an expert witness at trial, and attach a copy of the report prepared by each expert.

RESPONSE:

Without information

INTERROGATORY NO. 4: List any forums, blogs, internet discussion boards, news forums or any other websites related to transmissions on the internet that you have used to enter information, opinions, or other material, including, but not limited to, as a member or subscriber.

RESPONSE:

See attached

INTERROGATORY NO. 5: Identify by name, address, telephone number and dates of employment each employer you have had or each period of self-employment you have pursued during the past twenty years, and the type of work performed with your rate of pay and average monthly income.

RESPONSE:

See attached

INTERROGATORY NO. 4:

Topix.com, Tennessean.com, commercialappeal.com, toyotanation.com, thehighroad.org, thehighroad.net, thehighroad.us, theakfiles.net, glocktalk.com, opencarry.org, thenashvillescene.com, thecitypaper.com, defensivcarry.com, usacarry.com, tngunowners.net, tncivilsociety.net, tfaonline.org, goldenretrieverforum.com, ih8mud.com, tacomaterterritory.com, pwctoday.com, ttora.com, tundrasolutions.com, forums.iboats.com, packing4life.com, craigslist.com, thetreeofliberty.com, pirate4x4.com, modulardepot.com, marineengine.com, forumsevolutionm.net, blog.thepartainspace.com, yotatech.com, freerepublic.com, youtube.com, bobistheoilguy.com, polkaudio.com, impalas.com, streetcarforums.com, tennesspeed.net, americangunforum.com, ar15.com, saysuncle.com, grizzleygary.com, surplusrifleforum.com, knoxnews.com, thedeserteagle.com, gunownersclub.com, firearmsites.com, usms.org, facebook.com, myspace.com, wallsofthecity.net, waltherforums.com, watchuseek.com, Hondatech.com, pafoa.com, theexaminer.com, ktog.org, kahrtalk.com, everydaynodaysoff.com, thefiringline.com, smith-wessonforum.com, silencertests.com, silencertalk.com, 1911forum.com, calguns.net, ak-47.net, turbomustages.net, corral.net, f150online.com, lightning.net, saiga12.com, allchile.net, ak47.net, fivesevenforum.net, theakforum.net, copwatch.com, blogspot.kwikrnu.com, photobucket.com, georgiapacking.com, porcupine411.com, tennesseoffroad.com, emotivalounge.com, localsalesnetwork.com.

These are all that I can recall. There are probably more. I can't remember.

INTERROGATORY NO. 5:

1990-91 Century insulation (installer) Benicia, California. Don't remember pay, address, telephone, etc.

1994-02 US Army Reserves. Don't recall wage. (Training for war)

1995-99 UPS package (sorter), 3205 Whites Creek Pike, Nashville, TN 37207 800-367-5690 Don't recall wage.

1996-98 Matco Tools (picker), 4191 Murfreesboro Pike, Antioch, TN 37013 615-641-1900. Don't recall wage.

1998 Staffmark – temporary agency (cooling fins), 2336 Lebanon Rd., Nashville, TN 37210 615-889-0943 Don't recall wage.

1999-05 Truck Tops, Etc. (installer), 1330 Ft. Campbell Blvd., Clarksville, TN 37042 931-553-5078. About \$2,000/mo.

2007 ASIG (aircraft refueling) BNA, Nashville Int'l. Airport, PO Box 17332, Nashville, TN 37217 615-275-2545. Don't recall wage.

2007 Gap, Inc. (picker), 100 Gap Blvd., Gallatin, TN 37066 866-411-2772 about \$9.00/hr.

2008 Master Staff – temporary agency (picker), 611 Potomac Pl., Suite 103, Smyrna, TN 37167 615-223-5626. Don't recall wage.

2004-09 Yellow Freight (loader, 7300 Centennial Blvd., Nashville, TN 37209 615-350-5762. \$16.50/hr. irregular work schedule.

2008-10 Williamson County Board of Education (bus driver), 1320 W. Main, Ste. 202, Franklin, TN 37064 615-472-4000. \$10.71/hr. Approx. \$1,500/mo.

INTERROGATORY NO. 6: For each time in which you have carried any type of firearm in Radnor Lake State Natural Area,<sup>1</sup> provide the date, and the make and model of the firearm you were carrying.

RESPONSE:

I carried a handgun three times to Radnor Lake. Two occasions in the fall of 2009 I carried a Smith and Wesson 29-3 6" 44 magnum, I don't remember the exact dates. December 20th I carried a Draco ak-47 type handgun.

INTERROGATORY NO. 7: In paragraph 3 of the Complaint, you claim you had an AK-47 handgun with you at Radnor Lake on December 20, 2009. Please identify this weapon by: serial number, manufacturer and/or carrier, model, caliber, barrel length at time of purchase, frame/material, finish/color at time of purchase, capacity for ammunition or magazine at time of purchase, accessories, and sights.

RESPONSE;

Serial #DR-4559-09 RO Draco C.N. ROMARM S.A.?CUGIR MADE in Romania, 7.62x39, 11.5 inch barrel, color black with brown barrel shroud, 2 30 round magazines, adjustable sights, steel frame.

INTERROGATORY NO. 8: For the weapon described in paragraph 3 of the Complaint, state the date of purchase or transfer, price paid, and the name, address, and telephone number of the seller.

RESPONSE:

Purchase: 12-14-2009, transfer 12-16-2009, \$414.76 paid, Classic Arms, Inc., PO Box 125, Indian Trail, NC 28079 (707) 684-0650

---

<sup>1</sup> Hereinafter, "Radnor Lake."

INTERROGATORY NO. 9: State previous addresses at which you have resided since your eighteenth birthday and the dates you have resided at each address.

RESPONSE:

See attached

INTERROGATORY NO. 10: Describe any additions, changes, alterations, modifications you made, or had made, in the weapon described in paragraph 3 of the Complaint and magazine(s) on or before December 20, 2009.

RESPONSE:

Cut off barrel nut, stained barrel shrouds, added sling, painted barrel nut orange

INTERROGATORY NO. 11: Identify by manufacturer and type (e.g. hollow point, armor piercing, etc.), the ammunition you carried in weapon described in paragraph 3 of the Complaint, or with you, on December 20, 2009.

RESPONSE:

Winchester (whitebox) purchased at Walmart. Full metal jacket.

INTERROGATORY NO. 12: Identify by manufacturer, make and model, and date of purchase, of the sling in which you carried the weapon described in paragraph 3 of the Complaint on December 20, 2009.



INTERROGATORY NO. 9:

I don't recall exact address: xxxx Pintail Dr., Suisun City, CA 1990-91 & 1993; Ogden, UT 1991; Santiago, Chile 1991-1993; Fort Sill, OK 1994; Fort Sam Houston, TX 1994, 1011 Calvert St. Nashville, TN 37xxx 1994-96; 5353 Cain Ridge Rd., Apt. 1411, Antioch, TN 37013 1996-97; 3728 Bakertown Rd., Nashville, TN 37211 1997-05; 6620 Valley Dr., Brentwood, TN 37027 2005-10.

RESPONSE

Urban ert, urban sentry two point/one point hybrid sling,  
December 16, 2009.

INTERROGATORY NO. 13: Describe any additions, changes, alterations, modifications you ever made, or had made, in the weapon described in paragraph 3 of the Complaint and magazine(s) after December 20, 2009.

RESPONSE:

Besides that listed in #10, I painted the entire gun orange, removed orange paint from barrel nut, epoxied the barrel shrouds, sanded the barrel shrouds, removed sling, installed a new grip nut, installed and removed flash hider and quick detach mount for suppressor, installed 550 cord loop for sling.

INTERROGATORY NO. 14: Was the weapon described in paragraph 3 of the Complaint ever modified to be an automatic weapon?

RESPONSE:

No.

INTERROGARORY NO. 15: Identify by name, address, telephone number each person whom you know to have ever owned the weapon described in paragraph 3 of the Complaint, or who has had that weapon in his or her possession.

RESPONSE:

See attached

INTERROGATORY NO. 15:

C.N. ROMARM S.A./CUGIR, CAI Georgia, VT, Classic Arms, Inc., PO Box 125, Indian Trail, NC 28079 707-684-0650, Capital View Pawn and Bargain, 1122 Charlotte Ave., Nashville, TN 37203 615-242-7296, Leonard Embury, 6620 Valley Dr., Brentwood, TN 37027 615-661-8067. There may have been other middle men or customs involved with the importation. There were several police officers also who had possession on December 20, 2009.

INTERROGATORY NO. 16: Identify by name, address, telephone number each person whom you know to have ever fired the weapon described in paragraph 3 of the Complaint.

RESPONSE:

Leonard Embody, 6620 Valley Dr., Brentwood, TN 37027 (615) 661-8067. Since most firearms are fired prior to sale, it is my belief that someone else has fired the weapon, but I don't know who they are.

INTERROGATORY NO. 17: List all firearms training courses you have ever attended, including date, location, and trainer, and the score or grade you received in each course.

RESPONSE:

U.S. Army, Fort Sill, OK 1994. I don't know score or grade or the trainer. Goodlettville Gun Shop, 2001, Keith Breedlove. Don't know score or grade.

INTERROGATORY NO. 18: List all law enforcement training courses you have taken either in the military, as a civilian, or as a law enforcement trainee.

RESPONSE:

None.

INTERROGATORY NO. 19: List every federal, state or municipal park in which you have carried a firearm, giving the date of entry, and the make and model of firearm you were carrying.

RESPONSE:

Radnor Lake 3 times - only remember date of Dec. 20, 2009 when I carried the Draco ak-47 type handgun. The other times I carried a Smith Wesson 29-3 handgun. 3-4 times at Bicentennial State Park. Don't know dates where I carried a Smith Wesson 29-3 handgun.

INTERROGATORY NO. 20: Identify by name, address, and telephone number of every shooting range in which you have been a member in the last five years, with dates of membership, and/or every shooting range in which you have fired any kind of firearm in the last five years.

RESPONSE:

On Target, 915 No. Thompson Lane, Murfreesboro, TN 37129-4326 (615) 890-2960. Stones River Range (Lavergne or Antioch), Hobson Pike, TN. Don't know exact address or phone.

INTERROGATORY NO. 21: If you have ever had a firearms permit issued by another state or governmental entity, identify that state or governmental entity, the type of permit issued, and the inclusive dates in which you held such permit.

RESPONSE:

None

INTERROGATORY NO. 22: For any time in which you have ever had a firearm permit denied, suspended, or revoked, identify the state or governmental entity that denied, suspended, revoked the permit, the date of such grounds, and the grounds given for the action.

RESPONSE:

May 8, 2008 revoked by Tennessee Dept. of Safety - "ex-parte order of protection." March 10, 2010 suspended by Tennessee Department of Safety - "material likelihood of risk of harm to the public."

INTERROGATORY NO. 23: If you have ever been denied a request to purchase, transfer, or in any way acquire a weapon accessory, state the date and circumstances of such denial.

RESPONSE:

I purchased a Title II nfa suppressor on Dec. 22, 2009 from Guns for America. They called me on Dec. 23, 2009 and stated I was a criminal and they would not complete the contracted sale. Transfer tax stamp denied on May 17, 2010 by the ATF, Sheriff Jeff Long failed to properly execute the nfa paperwork as required by TCA 39-17-1361.

INTERROGATORY NO. 24: If you have ever purchased, attempted to purchase, or inquired about purchasing armor piercing ammunition, state the date and person or entity with whom you communicated.

RESPONSE:

I only recall asking about armor piercing ammo on Glocktalk.com, thehighroad.us or the highroad.net, and ar15.com.

INTERROGATORY NO. 25: For any period of military service, state the branch of service, each post or base where you were stationed, dates of service, job classification, final rank, and type of discharge received.

RESPONSE:

U.S. Army Reserve, Fort Sill, OK, Fort Sam, Houston, TX, 377 csh Chattanooga, 4203 usah Nashville, 1994-2002, E-5, 91qasiy7, honorable.

INTERROGATORY NO. 26: For any weapon you have ever brought to Radnor Lake at any time, identify it by make, model, serial number, and the date(s) in which you brought such weapon to Radnor Lake.

RESPONSE:

See #7 Dec. 20, 2009, and Smith Wesson 29-3 AHH9662 two times don't recall dates.

INTERROGATORY NO. 27: List by make, model, and serial number each of firearm you owned, possessed, or maintained in your household by you or anyone in your household on December 20, 2009.

RESPONSE:

Marlin 1894 99080676, Smith Wesson 65-3 ans4686, Smith Wesson 65-3 ans4685, Marlin 1894, don't know serial number, Smith Wesson 29-3 ahh9662, Smith Wesson 337 cd55770, see #7, Henry Youth, don't know serial, Stevens Little Scout rifle don't know serial number.

INTERROGATORY NO. 28: State the names and present addresses of all persons you have lived or resided with since your eighteenth birthday, and the approximate dates or time periods involved. This interrogatory is intended to include all family and friends and for any time period of two weeks or longer.

RESPONSE:

See attached

INTERROGATORY NO. 29: Identify by name and relationship to you each person in your household who has a handgun permit.

RESPONSE:

None

INTERROGATORY NO. 28:

Bill and Norece Embody, 1006 Clearview Point Rd., Cottontown, TN 37048 from 1990-91 and 1993-96, Tim Embody, 737 Harpeth Parkway West, Nashville, TN 37221 from 1990-91 and 1995-96, Katerine Embody 1996-10, Elizabeth Embody 1999-2010, Kimberly Embody 2002-10 current address, see #1. I lived in Santiago, Chile 1991-93 and do not recall the names of people I lived with. I lived in Ogden, UT 1991 and do not recall the people I lived with. I lived in Fort Sam Houston, TX 1994 and do not recall the names of people I lived with. I lived in Fort Sill, OK 1994 and do not recall the people I lived with.



INTERROGATORY NO. 30: State the schools you are attending or have attended, their location, the dates you have attended such schools, the dates you graduated from those schools, and the degrees, if any, which you received upon graduation.

RESPONSE:

Armijo High School, Fairfield, CA 1986-1990 H.S. diploma,  
Solano Comm. College, Fairfield, CA 1991-1993, Vol. State  
Comm. College, Gallatin, TN 1995-1996 and 2007 A.S.  
sociology, Columbia State Comm. College, Columbia, TN 2009-  
current.

INTERROGATORY NO. 31: Identify by case name, docket number, court and nature or substance of litigation for each and every civil lawsuit in which you have been a party or a witness.

RESPONSE:

See attached

INTERROGATORY NO. 32: For the cell phone you had with you and/or used while at Radnor Lake on December 20, 2009, identify the owner of the cell phone, the cell phone carrier, and the cell phone number

RESPONSE:

Leonard Embody, att, 615-448-7185

INTERROGATORY NO. 31:

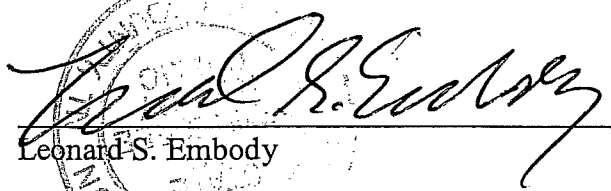
Don't know # but was about 1996 in Davidson County Court. Lady ran into back of my car. Don't know # but in 2001 in Davidson County, left car for repair at dealer and contents were stolen. Don't know # but lady ran into back of car Davidson County. Don't know # but in Davidson about 2004 dealer didn't fix car. Don't know # in 2008 Williamson County. Onsite techs sold me locked programmer. 08-0p448 2008 Davidson County Order of Protection, dismissed and expunged. Don't know # in 2008 Williamson County lady sideswiped car. 3:10-cv-00126-2010 sued Federal Court state ranger. Don't know # appeal state handgun suspension. 2010 administrative hearing. 2010 38740 Brentwood Police Dept. in Williamson for reckless negligence in lying on report. 10-1227-IV 2010 Davidson County sued state constitutional issue gun permit suspension.

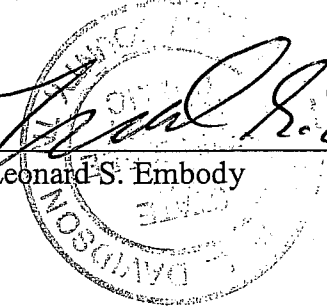
INTERROGATORY NO. 33: Identify by name and telephone number of each person, business, or other organization you called on December 20, 2009 at any time while you were at Radnor Lake.

RESPONSE:

862-8600 Nashville Police

I, Leonard S. Embody, having been duly sworn, state that the facts contained in the responses to the above interrogatories are true and correct to the best of my information, knowledge and belief.

  
Leonard S. Embody



State of Tennessee  
County of

Sworn and subscribed to before me

on this 29 day of August, 2010

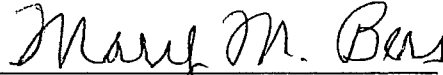
  
NOTARY PUBLIC

My commission expires:

4/2/12

Respectfully submitted,

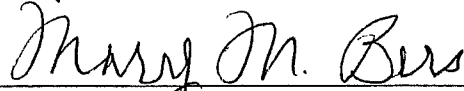
ROBERT E. COOPER, JR., BPR #010934  
Attorney General & Reporter



MARY M. BERS, BPR #013159  
Senior Counsel  
Civil Rights & Claims Division  
P.O. Box 20207  
Nashville, Tennessee 37202-0207  
(615) 741-1845

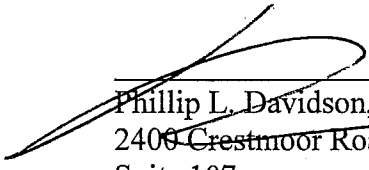
CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing has been forwarded by U.S. Mail, first-class postage pre-paid, to Phillip L. Davidson, 2400 Crestmoor Road, Suite 107, Nashville, TN 37215 on this 30<sup>th</sup> day of July, 2010.



MARY M. BERS

Respectfully submitted,

  
\_\_\_\_\_  
Phillip L. Davidson, #6466  
2406 Crestmoor Road  
Suite 107  
Nashville, Tennessee 37215  
(615) 386-7115

**CERTIFICATE OF SERVICE**

I certify that a copy of the foregoing was delivered by first class mail to

Mary M. Bers  
Senior Counsel  
Civil Rights & Claims Division  
PO Box 20207  
Nashville, TN 37202-0207

this the 1 day of September, 2010.

  
\_\_\_\_\_  
Phillip L. Davidson

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
AT NASHVILLE**

**LEONARD S. EMBODY,**

**Plaintiff,**

**V.**

**STEVE WARD, individually,**

**Defendant.**

)  
)  
)  
)  
)  
)  
)  
)  
)  
)

**NO. 3:10-cv-00126**

**JURY DEMAND**

**JUDGE HAYNES**

**DEFENDANT'S FIRST REQUEST FOR  
PRODUCTION OF DOCUMENTS TO PLAINTIFF**

REQUEST NO. 1: Produce a full and complete, unedited and unabridged copy of every audio and or video recording you made while you were present in Radnor Lake State Natural Area on December 20, 2009, or that you possess.

Audio CD

REQUEST NO. 2: For the firearm you identify in paragraph 3 of the Complaint, produce :

the bill of sale for purchase of the firearm;

all registration papers;

any other proof of ownership;

the original packaging for the firearm

See attached #2

REQUEST NO. 3: For the firearm you identify in paragraph 3 of the Complaint, produce:

printed specifications for the firearm you received at purchase or transfer, or at any other time;

copies of all written material that came with the firearm at the time of purchase, transfer, or receipt.

See attached #3

REQUEST NO. 4: For each type of ammunition you carried or had with you while at Radnor Lake State Natural Area<sup>1</sup> on December 20, 2009, produce the bill of sale for that ammunition. Don't have

REQUEST NO. 5: For the sling in which you carried the weapon described in paragraph 3 of the Complaint, and while at Radnor Lake on December 20, 2009, produce the bill of sale for its purchase, and all written materials that came with the sling at the time of purchase.

See attached #5

REQUEST NO. 6: Produce copies of all your past or present firearm permits and applications for permits.

See attached #6

REQUEST NO.: 7 For any denial, suspension, or revocation of a firearm permit by a state or agency, produce all documentation associated with the denial, suspension, or revocation, any appeal by you, and any all responses or decisions by the state or agency

See attached #7, all documentation will take me weeks to gather and there are 100's of documents

REQUEST NO. 8: Produce for inspection at a mutually convenient time and place for all parties the weapon described in paragraph 3 of the Complaint (unloaded), and all components, including all magazines.

Will comply

REQUEST NO. 9: Produce for inspection at a mutually convenient time and place for all parties the ammunition you carried or had with you on December 20, 2009. If the ammunition no longer exists, please produce any ammunition identical to it that you presently have in your possession.

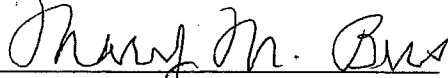
I have 31 rounds present at Radnor Lake

---

<sup>1</sup> Hereinafter, "Radnor Lake."

Respectfully submitted,

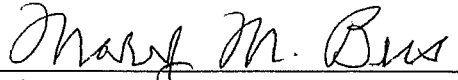
ROBERT E. COOPER, JR., BPR #010934  
Attorney General & Reporter



MARY M. BERS, BPR #013159  
Senior Counsel  
Civil Rights & Claims Division  
P.O. Box 20207  
Nashville, Tennessee 37202-0207  
(615) 741-1845

CERTIFICATE OF SERVICE

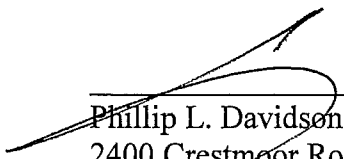
I hereby certify that a true and exact copy of the foregoing has been forwarded by U.S. Mail, first-class postage pre-paid, to Phillip L. Davidson, 2400 Crestmoor Road, Suite 107, Nashville, TN 37215 on this 30<sup>th</sup> day of July, 2010.



MARY M. BERS



Respectfully submitted,

  
\_\_\_\_\_  
Phillip L. Davidson, #6466  
2400 Crestmoor Road  
Suite 107  
Nashville, Tennessee 37215  
(615) 386-7115

**CERTIFICATE OF SERVICE**

I certify that a copy of the foregoing was delivered by first class mail to

Mary M. Bers  
Senior Counsel  
Civil Rights & Claims Division  
PO Box 20207  
Nashville, TN 37202-0207

this the 1 day of Sept, 2010.

  
\_\_\_\_\_  
Phillip L. Davidson

<b>SALES RECEIPT</b>	<b>74479</b>
<b>Capitol View Pawn &amp; Bargain</b> 1122 Charlotte Ave. Nashville, TN 37203 (615) 242-7296	

Date 12/16/09  
 Time 14:36:51  
 Employee Will\_G

Thank you for your business!!!  
 I agree that this/these item(s) has/have been tested to  
 my satisfaction. All items sold AS-IS with no warranties  
 (except as written or for expressly warranted items)  
 There are no refunds or exchanges!!!

	Sale Price	10.00
	Tax	0.93
	Total Due	10.93
Buyer's Signature		(PPP)

ITEM #	DESCRIPTION	RETAIL
166821	Draco 7.62x39/modak Style/pist Serial DR4559-09 (PPP) Draco Model ak st Caliber: 7 62x39 Type: PIST New	10.00

CL-551C ARMS  
 3000 SARDIS DR  
 INDIAN TRAIL, NC 28079  
 (704) 684-0650

### Phone Order

ID: 003  
 Merchant ID: 000002500876  
 Bank ID: 1340  
 12/14/09  
 Batch#: 348001  
 Retrieval Ref #: 90904653

15:04:00

DISCOVER Entry Method: Manual  
 XXXXXXXXXXXX1632  
 Appr Code: 014561 Inv #: 000028  
 AVS Code: Y CVV2 Code: M  
 Total: \$ 414.76

Customer Copy

Classic Arms, Inc.  
P.O. Box 125  
Indian Trail, NC 28079

Phone: (704)684-0650  
Fax: (704)684-0674

Bill To:  
00138184  
CAPITOL VIEW PAWN & BARGAIN STORE  
1122 CHARLOTTE AVE  
NASHVILLE TN. 37203-

Ship To:  
00138184  
CAPITOL VIEW PAWN & BARGAIN STORE  
1122 CHARLOTTE AVE  
NASHVILLE TN. 37203

Invoice No. 260685

Invoiced	Order #	Sales ID	Customer P.O.	Customer Req.	Page
12/14/09	0000251393-001	22	VERBAL		1

Order Placed By                      Shp Date    Boxes    Terms  
W                                      12/14/09      1    PRE-PAID-CHECKS  
Ship Via United Parcel Service GROUND

Ordered	Shipped	B/O	WH Item/Description	Unit Price	Ext Price
1	1	0	01 AK-DRACO-HQ DRACO AK STYLE 7.62X 39 PISTOL SA CENTURY	389.95	389.95

DR455909

CLASSIC ARMS FFL # 156179012A04419 EXP 01/12 - ALL SALES FIN  
AL AFTER 15 DAYS. TO RETURN CALL FOR RA # PACKAGE MUST HAVE  
INVOICE AND A LEGITIMATE REASON, 20 % RESTOCK MAY APPLY!

	Tax #	Subtotal
		389.95
Shipping&Handling	Taxes	Misc Charges
24.81	0.00	0.00
		Invoice Amount
		414.76
		Payment
		Net Due

Partial Shipping OK  
\*\*\* Picking Ticket \*\*\*

Page: 1.1

nted Sold  
14/09 12/14/09  
03:02 09:01:57

New Order

0000251393

Id To: 00138184  
CAPITOL VIEW PAWN & BARGAIN STORE  
1122 CHARLOTTE AVE  
NASHVILLE, TN 37203-

Ship To: 00138184  
CAPITOL VIEW PAWN & BARGAIN STORE  
1122 CHARLOTTE AVE  
NASHVILLE, TN 37203

PO: VERBAL Req Number:  
J: 12/14/09 Ship By: 12/14/09 Carrier: United Parcel Service  
J: 22 Terms: PRE-PAID-CHECKS Method: GROUND

WH	Item Number	Aisle	Bin	Ordered	To Pick	Pick	Box Nbr	Box Wht
01	01 AK-DRACO-HQ			1		0		
DRACO AK STYLE 7.62X 39 PISTOL SA CENTURY				Mfg Nbr:				

Comments:  
FOR LEONARD EMBODY 615-448-7185  
6620 VALLEY DR BRENTWOOD TN 37027

DR-4559-09

Picked: \_\_\_\_\_ Packed: \_\_\_\_\_ Checked: \_\_\_\_\_ / \_\_\_\_\_ Boxes: \_\_\_\_\_

PISTOL MDL DRACO 7.62x39 W/US PARTS

HG1982-N



\*DR-4559-09\*

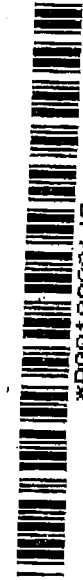


\*R0910028147\*

Tracking ID

10/26/09 02:10pm MBEAULIEU

N



\*R0910028147\*



\*DR-4559-09\*

Tracking ID

Serial ID

N-2861GH

N

10/26/03 02:10pm MBEAULIEU

N

JPFF-RLH



87450 05135

smith before firing. Firearms safety is  
are loading it. Treat every firearm as if it  
id. Use only factory loaded ammunition  
access by always keeping guns locked  
obtains and improperly uses it, you may  
if substances known to cause birth  
associated with their use. Read all

**WARNING:** If this is a used or surplus firearm it is not new, therefore, it must be inspected by a qualified person before use. The responsibility of every firearm owner and user. Become intimately familiar with the operation of your firearm before use. Always point the muzzle of the firearm in a direction where it a discharge occurs no one will be injured. Failure to follow these rules may result in injury or death. Firearms are dangerous and user assumes all risks associated with their use. Using firearms and handling ammunition can result in exposure to lead and the  
were loaded. Always point the proper caliber. Failure to follow these rules may result in injury or death. Firearms are dangerous and user assumes all risks associated with their use. Using firearms and handling ammunition can result in exposure to lead and the  
in good condition and of the proper caliber. Failure to follow these rules may result in injury or death. Firearms are dangerous and user assumes all risks associated with their use. Using firearms and handling ammunition can result in exposure to lead and the  
away and unloaded when not in use. If you leave a gun loaded or unloaded where a child or unauthorized person can access it, you may be fined or sent to prison or both. Using firearms and handling ammunition can result in exposure to lead and the  
defects, reproductive harm and other serious physical injury. Firearms are dangerous and user assumes all risks associated with their use. Using firearms and handling ammunition can result in exposure to lead and the  
warnings and instructions provided with firearm or on carton before using.

## CLASSIC ARMS

Phone 704-684-0650 FAX 704-684-0674

P.O. BOX 125 INDIAN TRAIL, N.C. 28079

DEAR VALUED CUSTOMER

THANK YOU FOR YOUR FIREARM PURCHASE. BEFORE LOADING OR ATTEMPTING TO FIRE YOUR NEW FIREARM, THERE ARE CERTAIN SAFETY GUIDELINES THAT YOU SHOULD FOLLOW.

- \* TREAT EVERY FIREARM AS IF IT WERE LOADED AT ALL TIMES.
- \* NEVER POINT A FIREARM EITHER LOADED OR UNLOADED AT ANYTHING WHICH YOU DO NOT INTEND TO SHOOT.
- \* WHEN CHAMBERING A ROUND INTO ANY FIREARM, PARTICULARLY SEMI-AUTOS, ALWAYS HAVE THE FIREARM POINTED IN A SAFE DIRECTION. WHILE RARE, ACCIDENTAL DISCHARGES (ALSO KNOWN AS SLAM FIRES) HAVE BEEN KNOWN TO OCCUR IN SEMI-AUTO WEAPONS.
- \* WE STRONGLY RECOMMEND TAKING A FIREARMS SAFETY COURSE AND OBTAINING A MANUAL TO LEARN EVERYTHING POSSIBLE ABOUT YOUR FIREARM BEFORE FIRING.

\* ALL FIREARMS SHOULD BE VISUALLY INSPECTED AND PROPERLY CLEANED BEFORE ATTEMPTING TO FIRE. SPECIAL CARE SHOULD BE TAKEN WITH MILITARY SURPLUS FIREARMS AS THEY ARE SOMETIMES PACKED IN COSMOLINE (A HEAVY GREASE) WHICH CAN CLOG THE BORE OR IMPEDE THE INTERNAL PARTS OF THE WEAPON FROM FUNCTIONING AS INTENDED. IF NOT PROPERLY CLEANED THIS COSMOLINE MAY INCREASE INTERNAL PRESSURES IN THE WEAPON AND LEAD TO SERIOUS INJURY OR DEATH UPON FIRING OR EVEN UPON CHAMBERING OF THE ROUND. ALL EXCESS PACKING GREASE SHOULD BE THOROUGHLY CLEANED BOTH INTERNALLY AND EXTERNALLY AND THE FIREARM WIPED DRY BEFORE ATTEMPTING TO FIRE. FOR SAFETY'S SAKE ALWAYS DISASSEMBLE, CLEAN AND VISUALLY INSPECT ANY SURPLUS WEAPON BEFORE FIRING. IF YOU HAVE ANY DOUBTS OR CONCERNS ABOUT YOUR FIREARM PLEASE CONTACT A QUALIFIED GUNSMITH OR THE MANUFACTURER.

\*\*\* A SPECIAL NOTE ABOUT SKS RIFLES. SKS RIFLES BY DESIGN HAVE WHAT IS KNOWN AS A FREE FLOATING FIRING PIN. THIS MEANS THAT THE FIRING PIN SHOULD MOVE BACK AND FORTH FREELY WITHIN THE BODY OF THE BOLT. UNDER NORMAL CIRCUMSTANCES THE FIRING IS PIN IS DRIVEN FORWARD BY THE HAMMER AND INTO THE PRIMER CAUSING THE ROUND TO FIRE WHEN THE TRIGGER IS PULLED. IF FOR ANY REASON THE FIRING PIN BECOMES STUCK IN THE OUT POSITION IT COULD CAUSE THE RIFLE TO FIRE UPON THE CHAMBERING OF THE ROUND. THIS CONDITION IS KNOWN AS A SLAM FIRE. SLAM FIRES COULD BE CAUSED BY EXCESSIVE BUILDUP OF GREASE, DIRT, CARBON OR RUST WITHIN THE BODY OF THE BOLT, HINDERING THE FIRING PIN FROM MOVING BACK AND FORTH. IT IS EXTREMELY IMPORTANT ON THESE WEAPONS TO VISUALLY INSPECT THE FIRING PIN TO BE SURE IT RECEDES FREELY INTO THE BOLT FACE.

AS A DISTRIBUTOR OF FIREARMS, CLASSIC ARMS HAS NO TESTING FACILITY AND ASSUMES NO LIABILITY FOR THE SAFE FUNCTIONING OF FIREARMS OR AMMUNITION. THE PRODUCTS WE CARRY ARE GUARANTEED AND INSPECTED BY THE MANUFACTURER AND OR IMPORTERS. WE ARE NOT INSPECTORS OR TESTERS AS BY INDUSTRY STANDARDS MOST DISTRIBUTORS ARE NOT.

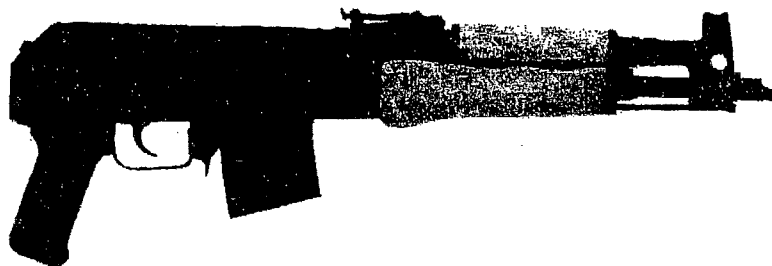
**PLEASE MAKE SAFETY YOUR TOP PRIORITY WHILE HANDLING FIREARMS.**

VISIT US ONLINE AT: [WWW.CLASSICARMS.US](http://WWW.CLASSICARMS.US)

# Owner's Manual

## DRACO Pistol

For calibers: 7.62x39mm, .223 and .22LR



Congratulations on your purchase of a DRACO Pistol. With proper care and handling it will give you long, reliable service. The DRACO is a semi-automatic pistol with a ten round capacity detachable magazine. It is imported from Romania.

We specifically disclaim any responsibility for damage or injury whatsoever, incurring as a result of the use of faulty, non-standard or remanufactured ammunition, any modifications or changes made to the firearm; Improper use or unsafe handling of the weapon. FIREARMS SAFETY IS THE SOLE RESPONSIBILITY OF THE SHOOTER.  
ALWAYS TREAT ALL FIREARMS AS IF THEY WERE LOADED.

Distributed by:  
Century International Arms, Inc.  
236 Bryce Boulevard, Fairfax, VT 05454  
[www.centuryarms.com](http://www.centuryarms.com)  
Sales: 1-800-527-1252 - 1-561-998-1997

**IMPORTANT! READ ALL  
INSTRUCTIONS AND WARNINGS IN THIS  
BOOKLET BEFORE USING THIS FIREARM.**







### IMPORTANT SAFETY MESSAGE

Children are attracted to, and can operate firearms which can cause severe injuries or death. Prevent child access by always keeping guns locked away and unloaded when not in use. If you keep a loaded firearm where a child obtains and improperly uses it, you may be fined or sent to prison.

### Firearm Safety Depends on You!

A gun is only as safe as the person operating it. You can never be overly careful when handling a firearm. Carelessness is often the cause of shooting accidents, such as failing to keep the muzzle pointed in a safe direction, not being sure of your target and what is behind it, failing to engage the safety properly, leaving ammunition in the chamber or using improper loads. Since a bullet can never be called back once fired, such errors in gunhandling can result in the loss of life, severe injury or property damage. It is thus crucial for your safety and the safety of those around you that you learn the principles of safe gun handling and storage before you begin to use your new rifle. Be a safe shooter - please read this instruction book thoroughly even if this is not your first firearm purchase as not all firearms are the same. The first step in being a safe shooter is to learn the rules for the safe operation and handling of firearms. There is nothing more important in gunhandling than safety.

### THE TEN COMMANDMENTS OF FIREARM SAFETY

The Ten Commandments of Firearm Safety must be etched into your memory before you begin to handle firearms. These rules are intended to be followed by all persons handling firearms in the field, on the range, or at home. Please read, review and understand these rules before you begin to use or even take your new rifle out of its box. Remember, firearms safety depends on you!

#### Commandment #1



#### **Always Keep the Muzzle Pointed in a Safe Direction.**

This is the most basic and most important safety rule. A safe direction is one in which an accidental discharge will not cause injury to yourself, to others or property damage. This is particularly important when loading or unloading your firearm. Never point your gun at anything you do not intend to shoot. Treat every gun as if it were loaded at all times.

#### Commandment #2



#### **Firearms Should Be Unloaded When Not Actually in Use.**

Firearms should only be loaded when you are in the field or on the target range or shooting area, ready to shoot. When not in use, firearms and ammunition should be secured in a safe place, separate from each other. Remember to unload your firearm completely, so that there is no ammunition in the chamber or magazine. Before handling this or any firearm, or handing it to someone else, visually check the chamber, receiver and magazine to ensure they do not contain ammunition. Always keep the gun's action open when not in use. Never assume a gun is unloaded - even if you were the last person to use it. Never cross a fence, climb a tree, wade through a stream, or perform any awkward movement with a loaded gun. When in doubt, unload your gun!

Never pull or push a loaded firearm toward yourself or another person. And never carry a loaded gun in a scabbard, a holster not being worn, or a gun case. Common sense prevails in gun safety!

**Alcohol, Drugs and Guns don't mix. Make no mistake about it! Never handle firearms after consuming alcohol or taking drugs which can affect your judgment.**

### **Commandment #3**



#### **Don't Completely Rely on Your Gun's Safety.**

Treat every gun as though it could fire at any time, even if you are not applying pressure to the trigger. The "safety" on a firearm is a mechanical device which, like any such device, can become inoperable at the worst possible time and fail to function. By mistake, you may think the safety is "on" when it actually is not. Or you may think your gun is unloaded when there is actually a round of ammunition in it. The safety serves as a supplement to proper gun handling but cannot serve as a substitute for common sense. Never handle a gun carelessly and assume that the gun won't fire, just because "the safety is on." Never touch the firearm's trigger until you are ready to shoot. Keep your fingers away from the trigger when loading or unloading. Never pull the trigger when the safety is engaged or when the safety is positioned between the "safe" and "fire" positions. Never place your finger on the trigger unless you intend to fire.

### **Commandment #4**



#### **Be Sure of Your Target - And What Is Beyond It!**

Once fired, a bullet (or shot charge) can never be called back, so before you shoot know where the bullet is going and what it will strike. Be certain your shot will not injure someone or strike something beyond the target. Never fire in the direction of noise, a movement, or at any object you cannot positively identify. Be aware that a .22 Short bullet can travel over 1-1/4 miles. A centerfire cartridge, such as the .30-06, can send its bullet over 3-miles. Shotgun pellets can travel 500-yards and a shotgun slug has a range of over a half-mile. Make sure your shot has a backstop such as a hillside. Keep in mind how far the bullet will travel if it misses your intended target.

### **Commandment #5**



#### **Use the Correct Ammunition.**

Every firearm is designed to use a certain caliber or gauge of ammunition. It is important that you use the correct ammunition for your firearm. Information on the correct ammunition to use with your firearm appears in the firearm's instruction manual and the manufacturer's markings on the firearm itself. Use of the wrong ammunition or improperly reloaded ammunition can result in the destruction of the firearm, serious personal injury and/or death.

Form the habit of examining every round of ammunition before you put it into your gun to ensure it is of the proper gauge or caliber and that it is in good condition.

### **Commandment #6**



#### **If Your Gun Fails to Fire When the Trigger Is Pulled, Handle With Care.**

If a cartridge or shell does not fire when the trigger is pulled, follow Commandment #1 and keep the firearm's muzzle pointed in a safe direction. Keeping the muzzle pointed away from your face and anything you do not intend to shoot, wait at least 20-seconds (to ensure that the ammunition is not delayed in firing) before carefully opening the action, unloading the firearm and disposing of the ammunition safely.

### **Commandment #7**



#### **Always Wear Eye & Ear Protection When Shooting.**

Exposure to shooting noise can permanently damage hearing and flying debris, such as powder residue and ejected cartridge cases can injure your eyes. Thus, it is only common sense to wear both eye protection (such as shooting glasses) and ear protection (such as a sound muffling headset) whenever shooting. Also, wear eye protection when cleaning or disassembling your gun to ensure that cleaning solvent and tensioned parts (such as springs), do not come into contact with your eyes.

### Commandment #8



#### **Be Sure the Barrel is Clear of Obstructions Before Shooting.**

Discharging a firearm with an obstruction in the barrel can result in personal injury, property damage or death. Before you load your firearm, check the chamber and magazine to ascertain that no ammunition is inside. Also, check the inside of the barrel (called the "bore") to ensure it is free of obstructions. Even a small amount of mud, snow or excess lubricating oil or grease in the bore can cause excessive pressures resulting in a bulged or burst barrel which can injure or kill the shooter and bystanders. It's a good idea to make a habit of cleaning the bore and checking for obstructions with a cleaning rod just before each shooting session. If the noise or recoil experienced upon firing seems low or weak, or something doesn't feel "right", cease firing immediately and check to make sure that there is no obstruction in the barrel. Placing an undersized shell or cartridge into a gun (such as a 20-gauge shell in a shotgun chambered for 12-gauge ammunition) can result in the smaller round of ammunition falling into the barrel and acting as an obstruction. When a round is subsequently fired, the barrel may burst causing injury to the shooter and bystanders. For reference, re-read Commandment #5.

### Commandment #9



#### **Do Not Alter or Modify Your Gun and Have It Serviced Regularly.**

Firearms are complex mechanisms that are designed to function properly in their original condition. Any alterations or changes made to a firearm after its manufacture can make the gun unsafe and will void its warranty. Do not jeopardize your safety or the safety of others by altering the trigger, mechanical safety or other mechanisms of your firearm. You should have your firearm periodically checked for proper functioning and serviced by a qualified gunsmith.

### Commandment #10



#### **Learn the Mechanical and Handling Characteristics of Your Firearm.**

Not all firearms operate the same way. The method of carrying, handling and operating firearms varies with the mechanical characteristics of each gun. Thus, you should never handle any firearm until you become familiar with the safe handling, loading, unloading and carrying procedures for that particular firearm, as well as the rules for safe gun handling in general.



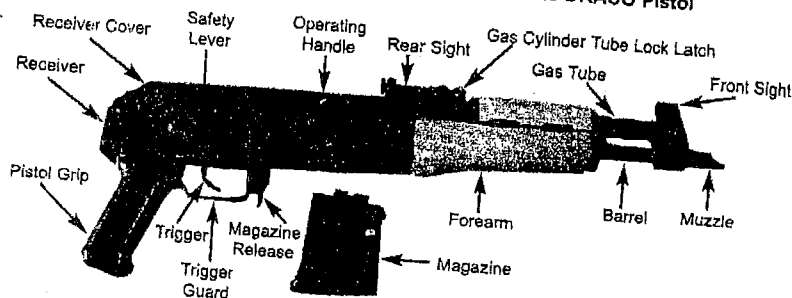
**WARNING!** Discharging firearms in poorly ventilated areas, cleaning firearms or handling ammunition may result in exposure to lead and other substances known to cause birth defects, reproductive harm and other serious injury. Have adequate ventilation at all times when shooting. Wash hands thoroughly after exposure.

### **Basics of Safe Gun Handling**

1. Always keep the muzzle pointed in a safe direction.
  2. Firearms should be unloaded when not actually in use.
  3. Don't totally rely on your gun's safety.
  4. Be sure of your target and what's beyond it.
  5. Use the correct ammunition for your firearm.
  6. If your gun fails to fire when the trigger is pulled, handle with care.
  7. Always wear eye and ear protection when shooting.
  8. Be sure the barrel is clear of obstructions before shooting.
  9. Don't alter or modify your firearm and have your firearm(s) serviced regularly.
  10. Learn the mechanics and handling characteristics of the firearm you are using.
- Safe gun handling depends on you! A safe shooter is a knowledgeable shooter.**

There is one other rule that must be strictly observed when handling firearms - **Shoot Sober!** Alcohol, certain kinds of drugs and firearms don't mix. Safe firearms handling requires alertness and concentration on one's actions. You cannot handle a firearm safely after consuming alcohol. Never consume anything that can impair your judgement or physical coordination when handling a firearm.

Illustration # 1  
Diagram showing major operational parts of the DRACO Pistol



The picture above shows the main operational parts of the DRACO Pistol.  
Study of this picture will aid you in understanding the instructions in this book.



**IMPORTANT NOTICE!**

DRACO Pistol is a surplus firearm. As with all surplus products, it should be carefully inspected before use, preferably by a competent gunsmith! This is to ensure your safety and the safety of those around you.

**DRACO Pistol background** - Your new DRACO Pistol, while designed for sporting use, has as its design inspiration of the famous AK-47 rifle designed by Mikhail Kalashnikov of Russia. Since 1947, when the AK47 first entered Russian military service, over 30 million AK-47's have been produced in countries around the world, attesting to the design's reliability.

The basic design of the AK-47 (and thus your DRACO Pistol) incorporates some of the best elements of previous, proven firearm designs. The double locking lugs, unlocking raceway, and trigger mechanism are clearly derived from the earlier American M1 Garand Rifle. The safety lever is surprisingly similar to the John Browning-designed Remington Model 8 rifle. The genius in Kalashnikov's design is in the simplification of those contributing designs into a compact, reliable, and highly durable package adapted to mass production. The AK-47 can be seen as a fusion of the best that the M1 Garand offered combined with some of the positive attributes of the German StG44 assault rifle.

**Operational Characteristics:**

The DRACO Pistol is a semi-automatic, gas-operated pistol with a detachable box magazine. It is equipped with an adjustable rear sight and a post front sight. It has a 10-round magazine. It has a wood handguard and a plastic pistol grip.

**Specifications:**

Caliber available in: 7.62x39mm, .223 and .22LR  
Magazine Capacity: 10 rounds  
Overall Length: 22-inches  
Weight: 5-1/2 pounds  
Sights: Front post, Rear adjustable  
Finish: Black  
Country of Manufacture: Romania  
Handguard material: Wood  
Pistol Grip: Plastic

**To load the rifle :**



**WARNING!** Before loading, make sure the inside of the barrel is free of dirt or other obstructions.

**WARNING!** Always check each cartridge to ensure it is of the correct caliber before loading the firearm.

**WARNING!** Keep your fingers away from the trigger while loading.

**WARNING!** Keep muzzle pointed in a safe direction.

DRACO Pistol Manual

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Page 5

1. Place the safety lever in the "ON" or "SAFE" position. The safety lever is in the "ON" position when it is moved to its uppermost (top) position. You should hear an audible "click" when it is correctly in place. (Illustration #2)

Illustration #2

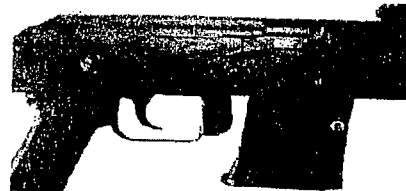


Safety Lever in upper or "SAFE" position. Lever is covering the imprinted letter "S" stamped into receiver.

**NOTE:** When the safety lever is in its lower position (covering the stamped letter "F" (meaning "Fire") on the receiver just above the magazine well), the safety lever is in the "FIRE" position. Pulling the trigger when the safety lever is in this lower position will result in the pistol firing a round. To avoid serious injury, death or causing property damage, make sure you know the "SAFE" and "FIRE" positions of the safety lever before loading your rifle!

2. Press the magazine release lever forward to release the magazine from the receiver.
3. Load the magazine with up to 10-rounds of correct ammunition by pressing the cartridges one-at-a-time into the spring-loaded magazine's feed lips.
4. Install the magazine back into the pistol by inserting the flat-sided edge first into the magazine well and then angling the magazine so that its other edge (containing a pronounced projection) locks into place in front of the trigger guard. Pull on the magazine slightly to ensure it is locked into position (Illustration #3).
5. Move the safety lever downward to the "FIRE" position so that the safety lever is covering the letter "F" meaning "Fire!" (Illustration #4).
6. Keeping your finger off the trigger and pointing the pistol in a safe direction, pull back the operating handle to its fully-rearward position and release. As it moves rapidly forward under spring pressure, the bolt will strip a round from the magazine and insert it into the chamber of the barrel, readying the pistol for firing.
7. Move the safety lever back to its top "SAFETY" position.

Illustration #3



The loaded magazine is inserted into the pistol's magazine well by angling the magazine and inserting its flat-sided edge into the magazine well first, and then moving it into the well so that its other edge (containing a projection) locks into place in front of the trigger guard. Pull on the magazine slightly to ensure it is locked into position.



**WARNING!** The pistol is now loaded and will fire if the safety lever is moved to the "OFF" or "FIRE" position and the trigger is pulled! Handle with extreme caution and keep the muzzle (the end of the barrel) pointed in a safe direction!

**To Fire the Pistol:**

1. Keeping the 10 Commandments of Shooting Safety in mind, aim the pistol downrange at the target.
2. Release the safety lever by moving it fully downward until it covers the stamped "F" meaning "FIRE" position.
3. Place the trigger finger inside the trigger guard and on the trigger.
4. After aligning the sights on the target, slowly press the trigger back to fire the first round.
5. Being a semi-automatic, after the first round is fired, the pistol's action (its moving parts) will cycle and as the bolt moves rearward, the extractor will pull the empty cartridge case from the chamber and eject it from the pistol (make sure there are no bystanders in close proximity on either side of the pistol who could be hit and injured by the ejected cartridge casing).
6. Note: If the trigger is again pressed, the pistol will fire! Keep the pistol pointed in a safe direction.
7. Firing may be continued in this manner until the magazine is empty.
8. When firing is finished, place the safety lever in its "ON" or "SAFE" position by rotating it fully-upward until it covers the letter "S" stamped into the receiver. An audible "click" should be heard when the safety lever is correctly positioned. (Illustration #2)

#### Unloading the Pistol:



**WARNING!** Keep muzzle pointed in a safe direction.

**WARNING!** Keep muzzle pointed in a safe direction.

1. Remove the magazine by pressing forward on the magazine release lever while pulling the magazine out of the rifle (Illustration #4).
2. Ensure that the chamber is empty by pulling back the operating handle (Illustration #5).
3. When storing the rifle, it is a good idea to keep the safety lever in the "ON" or "SAFE" position. Store the magazine and ammunition in a separate place from the rifle.
4. When storing the pistol, it is a good idea to keep the safety lever in the "ON" or "SAFE" position. Store the magazine and ammunition in a separate place from the pistol.

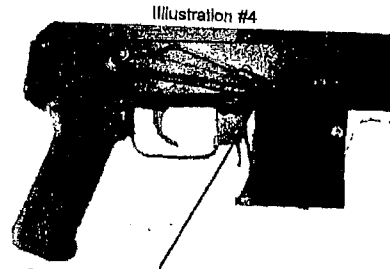


Illustration #4  
Safety Lever in lower "FIRE" position. Lever is covering the stamped letter "F" in the receiver. Exercise extreme caution when handling pistol in this condition!

#### Cleaning the Pistol:

**WARNING!** You should wear eye protection, such as shooting glasses or goggles when cleaning your firearm to protect your eyes from tensioned parts, such as springs, that may become dislodged during disassembly.



**WARNING!** Before beginning the cleaning process, check to ensure the pistol is unloaded. To do so, while keeping the pistol's muzzle pointed in a safe direction, place the safety lever in the "ON" or "SAFE" position by moving it fully upward until an audible "click" is heard (Illustration #2). Remove the magazine and lay it aside. Keeping the muzzle pointed in a safe direction and your finger off the trigger, place the safety lever in the lower or "FIRE" position (Illustration #4). Check the chamber by retracting the operating handle and looking into the open action to ensure there is no cartridge in the barrel chamber. Firearms can inflict death or serious injury. You can never be 'too safe.' Follow this procedure each time you clean your pistol to ensure safety.

#### TO CLEAN THE BARREL

1. Obtain a good quality gun cleaning kit and thoroughly review the instructions provided therein.
2. To clean the barrel, select the correct caliber cleaning brush and attach it to a cleaning rod.
3. Dampen the brush with gun cleaning solvent and then push the brush through the barrel several times.
4. Remove the brush and attach a correctly-sized cloth cleaning patch to the cleaning rod and push it through the barrel several times to remove loosened fouling.
5. Repeat this process with the brush and cleaning patches until a final patch comes out clean after swabbing the bore.
6. Repeat the procedure just followed to clean the bolt, and other action parts (swab with brush followed by cloth cleaning patches).
7. Remove all shooting residue from the outside of the pistol by wiping outside surfaces with a piece of soft cloth dabbed in solvent.
8. Wipe down the outside surfaces with a dry cloth. Finally, wipe down all outside surfaces with a soft cloth dipped in a good quality metal preservative oil.

**WARNING!** There may be sharp edges on parts of the firearm. Keep fingers protected, such as by wearing a pair of gloves, when cleaning.

**WARNING!** Excessive use of cleaning solvents or lubricants can adversely affect the functioning of your firearm. Always wipe out the inside of the barrel before firing to ensure it is dry.

**WARNING!** This firearm should be checked periodically for worn or damaged parts by a competent gunsmith. This will help ensure its safe functioning and a long service life.

**WARNING!** Some cleaning solvents produce hazardous vapors. Read and follow the solvent manufacturer's cautions found on the product's package.

**WARNING!** Handling ammunition and cleaning firearms results in exposure to lead and other substances that could pose health risks. Always wash your hands and face after firing your pistol or after cleaning it.

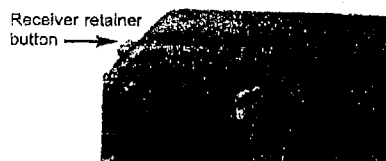


## Disassembly



**WARNING!** You should wear eye protection, such as shooting glasses or goggles when disassembling and reassembling your pistol to protect your eyes from tensioned parts, such as springs, that could become dislodged during the procedures.

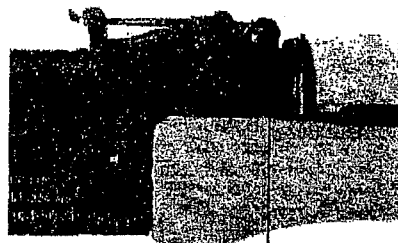
Illustration #5



Press inward on the receiver retainer button while lifting the receiver cover.

1. To disassemble the pistol for cleaning and maintenance, first ensure it is unloaded by removing the magazine and then pulling back the operating handle to ensure there is no ammunition in the chamber.
2. Lay the magazine aside as it must be out of the pistol during the disassembly process.
3. Press in on the retainer button located at the top rear of the pistol's receiver while simultaneously lifting up on the rear of the receiver's top cover and removing it. (Illustration #5)
4. Slide recoil spring guide and spring forward, out of their notch in the rear of the receiver and remove.
5. The bolt and carrier are now free to move. Slide these parts to the rear while lifting upward slightly on the operating handle until the assembly can be lifted out of the receiver by pulling them to the rear.
6. The bolt is now removed by pushing it to the rear of the bolt carrier and then rotating it so that its lugs clear the raceway on the underside of the bolt carrier. It is then pulled forward and free out of the carrier.
7. The bolt is removed from the bolt carrier by turning clockwise and pulling forward.
8. Rotate the gas cylinder tube lock latch upward to free the gas cylinder tube (Illustration #6). Pull up on the rear of the top handguard to free and remove the tube.

Illustration #6



Rotate the gas cylinder tube locking latch upward to free the gas cylinder tube.

No further disassembly is needed.

Clean the removed parts with a good quality gun cleaning solvent as well as the inside of the receiver. A bronze or nylon bristle brush dabbed in solvent will aid the cleaning process. Before re-assembly, lightly oil the bolt carrier and bolt.

## Re-assembly

1. Align the front opening of the gas cylinder tube with the gas cylinder.
2. Seat the rear of the tube into the rear sight base. Rotate the gas cylinder tube lock down to its locked position. The bolt is inserted into the carrier by pulling it first from the front to the rear and then rotating the bolt to the left so it can be pushed to the front of the carrier.
3. Holding the bolt carrier assembly to ensure it remains assembled with the bolt, insert it into the receiver while pushing the gas piston end into its protection tube and pressing the guide ribs of the carrier into the corresponding grooves in the rear end of the receiver. The bolt carrier is then pushed to the front.
4. The recoil spring assembly is pushed into the boring in the bolt carrier. The rear end of the guide is inserted into the groove in the rear of the receiver by pressing the spring, first forward and downward, and then letting the guide move gently to the rear.
5. The receiver cover is re-installed by inserting the front end of the cover in the groove in the rear end of the piston protection tube and then pressing the cover down so that the catch in the end of the recoil spring guide fits into the cutout in the rear of the cover. Rotate the gas cylinder tube lock latch downward to its locked position.

## STORAGE

When putting your pistol away for storage. It should be thoroughly cleaned and lightly lubricated: Outside surfaces should be wiped with a light coat of good quality gun oil. **CHECK TO ENSURE YOUR FIREARM IS UNLOADED BEFORE PUTTING IT AWAY FOR STORAGE BY VISUALLY EXAMINING BOTH ITS CHAMBER AND MAGAZINE.** When the firearm is to be reused, remove all excess lubrication before firing. Make certain that the bore (inside of barrel) is dry and free of obstructions before firing.

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**UNLOAD THE WEAPON PRIOR TO INSTALLATION !!!**  
**AVAILABLE URBAN-E.R.T. SPECIFIC SLINGS.**

**U-S/1 & U-S/2 URBAN-SENTRY 1" & 2" SLINGS:**

In **Single Point Mode**, applied to any weapon system with a rear receiver single point sling attachment, the numerous available adaptor assemblies will secure your weapon to a single mounting point. This modular system permits the tactical operator to simply punch the weapon out and over the sling to transition the weapon to an offhand shooting position. Single Point Mode affords the military or law enforcement operator the ability to search dangerous urban areas with multiple threat zones & transition the weapon to either shoulder thus exposing a minimal amount of their body to the enemy. This is extremely important in urban areas, specifically building searches involving staircases, and multiple threat zones. In the event that a secondary weapon transition is necessary, the slung weapon will fall to your off hand side, barrel pointing down, ensuring a clear path to your secondary weapon. In **Two Point Mode**, applied to any weapon system's existing sling attachment points, the numerous available adaptor assemblies will secure your weapon in a two point configuration. The URBAN-SENTRY in Two Point Mode far exceeds the conventional 2-point sling. Using the cinch strap, the tactical operator is able to shoulder the weapon with the sling on, and also cinch the sling down to snug the weapon up close to their torso. This allows the tactical operator to go hands free & engage an unarmed combatant with the weapon in front of them or slung on their back. To re-deploy the weapon simply un-cinch the sling, and rapidly engage the threat.

**MPD 3-POINT TACTICAL SINGLE POINT SLING:** You don't have to find a release a buckle to transform the sling and you don't have to worry about fumbling around trying to reconnect the buckle with both hands.

Our Prussik Slide Release Tab (PSRT) utilizes the weight of the weapon to tightly grip the webbing when slung. This prevents the PSRT from sliding towards the rear into the single point configuration. To configure the sling into a single point sling, simply grab the rear tab of the PSRT and pull it towards the rear. Now the military or law enforcement operator can search dangerous urban areas with multiple threat zones & transition the weapon to either shoulder thus exposing a minimal amount of their body to the enemy. The 2" design allows for continuous comfortable carry.

**PATROL VEST SLING (P.V.S.):**

The PVS allows the uniformed Police Officer or a PSD Dignitary Protection Operator the ability to have a fully functional Single Point Sling attached to their concealed soft body armor. If the need arises to deploy a long gun, and you only have time to grab the weapon, shooting the weapon is paramount. During an active shooter incident, or dignitary attack, dealing with putting a sling on the weapon, putting the sling over your radio MIC, or department issued collar brass, or having the weapon malfunction because you have sling material interfering with the mechanics of the weapon should be the last thing on your mind. You simply grab the weapon and get to business. When it is convenient and most importantly safe to do so, you simply reach into your uniform shirt, into your polo or what ever you are wearing over your soft body armor at the time, quickly grab the side release buckle and connect it to the already attached weapon adaptor. The PVS attaches to the soft body armor, and is supported by the vest. The PVS is lightweight, & undetectable.

**SWAT/BA/MTV Slings (S.I.M. Sling) for BALLISTIC VESTS:**

This sling option connects directly to a tactical operator's main ballistic body armor. With this sling, the tactical operator does not have to worry about putting a sling over the already bulky vest and magazine pouches. The S.I.M. Sling can be attached to either shoulder to allow the weapon to fall to your off hand side. The S.I.M. Sling can be cinched down or let out to allow for the perfect shoulder and cheek weld. The tactical operator can also install an individual S.I.M. Sling on each shoulder. Two S.I.M. Slings combined with the S.I.M. Bridge, will allow the weapon to hang right in the center of your chest. This is particularly handy while riding in a vehicle such as a SWAT van, Humvee, Striker, or Aircraft. This allows for the weapon to remain close, muzzle down, and centered. The tactical operator simply needs to evacuate the vehicle and not worry about having their sling getting tangled on any equipment. To get out of the body armor, the tactical operator simply needs to hit one of the two side release buckles on the S.I.M. Bridge, and remove their armor. The S.I.M. Sling is also more than capable of supporting any full size ballistic shield on the market available to Law Enforcement, PSD and Military Operators. This configuration prevents the tactical operator from getting prematurely fatigued during a prolonged search, or operation. Having the ballistic shield connected to a Dual Bridged S.I.M. Sling allows the operator to simply guide the shield, and not have to worry about carrying it during the operation.

**COMMON FEATURES:**

- 1 The various available adaptor assemblies with the male side release buckles remain attached to the weapon systems. Having multiple inexpensive adaptor assemblies attached to several different weapons, means you can mission select any weapon from your arsenal.
- 3 The URBAN-SENTRY-US1" and US2" slings come standard with an emergency break away side release buckle to enable the emergency breakaway of the entire weapon system should any issue of sling or weapon entanglement arise. Our side release buckles have an approximate breaking strength of 175-250 pounds shock-load. This capacity was chosen in the event that you fall and get hung up on an obstruction, and can't reach the break away buckle. The sling will likely break away under your body weight, freeing you from entanglement. If this occurs, send the sling back, and we will replace any of the components that purposely broke free of charge, and ship it back to you. Your life is more important!
- 4 Any weapon from your arsenal can be safely and rapidly deployed or stowed, eliminating timely sling selection and adjustment to the needs of a wide range of missions and different Tactical Operators.
- 5 All URBAN-E.R.T. slings are designed to be 100% ambidextrous and will accommodate all shooters, and are constructed of 1" and or 2" high strength nylon webbing.

AVAILABLE AT: [www.urbanertslings.com](http://www.urbanertslings.com), [info@urbanertslings.com](mailto:info@urbanertslings.com), (317) 223-6509.

IN ORDER TO IMPROVE OUR SLINGS, THE DESIGN MAY VARY FROM LISTED PHOTOS. We design weapon specific slings universal to all. If you wish to have something custom made, please contact us.

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**Visit our website for more details. Sling Installation link.**

**PRIOR TO HANDLING THE WEAPON, ENSURE THAT IT IS UNLOADED !**

**DONNING THE URBAN-E.R.T. URBAN-SENTRY (US1 & US2) IN SINGLE POINT MODE:**



Right hand operator: + (1.) Throw the main body of the sling over your right shoulder with the "Quick Cinch Strap" in front. + (2.) Grab the adaptor with your left hand as seen in the photos, and push it out in front of your chest. + (3.) Grab the "Quick Cinch Strap" tab with your right hand as seen in the photos. + (4.) Cinch the sling down so that there is about 2" of webbing remaining on the "Quick Cinch Strap". + (5.) If there is more than 2" remaining on the "Quick Cinch Strap", adjust the main body of the sling out until there is only 2" remaining. The sling should ride high on your chest, and rest above your sternum as seen in the photos. + (6.) To remove the sling, push the "Quick Cinch Strap" Strap-Loc tab upward, just like on a backpack. (Left hand operators complete the previous steps in opposite fashion.)

**DONNING THE URBAN-E.R.T. URBAN-SENTRY (US1 & US2) IN TWO POINT MODE:**



Right hand operator: + (1.) Attach the portion of the sling that has the Elastic & the "Quick Cinch Strap" to the front sling attachment of the weapon using the supplied Weapon Adaptor. + (2.) Attach the 2" wide main body of the sling to the rear sling attachment of the weapon with the female side release buckle using the supplied rear Weapon Adaptor. + (3.) If you are right handed, place your left arm, and head through the sling, so that the two inch main body of the sling rests on your right shoulder, and the barrel points down towards your left foot. + (4.) To extend the sling & engage the throat, pull the Strap-Loc tab back on the "Quick Cinch Strap". This will release the tension, and allow the webbing to slide out of the Strap-Loc, thus extending the weapon. + (5.) Try to shoulder the weapon with the butt stock fully extended. + (6.) If you can't achieve a sight picture, extend the two inch portion of the sling out with the 2" (tri-glide), until you can achieve a proper sight picture and still keep the sling snug. + (7.) Once adjusted, and you can effectively & rapidly deploy the weapon, or re-cinch the "Quick Cinch Strap" using your left hand by pulling the Strap away from you just as you would tighten a backpack on your shoulder. + (8.) Now the sling should rest snug against your torso. You can also throw it over your back to go hands on with a combatant. (Left hand operators complete the previous steps in opposite fashion.)

**PATROL VEST SLING (P.V.S.): Visit our website for more details & photos.**

+ (1.) If your concealed soft body armor has the loop Velcro\* on the back ballistic panel carrier, simply attach the hook Velcro patch panel to the bottom rear of your vest with the 1" sling webbing pointing up. + (2.) Route the 1" sling webbing up over the shoulders of the vest. The double webbing goes over the right shoulder, and the single webbing goes over the left shoulder. + (3.) The sling's female buckle attaches to the front vest panel using the supplied male buckle with the strip of hook Velcro. + (4.) Now route the elastic shoulder straps through the webbing retention bands which you will find on both the single and double 1" sling webbing. (The retention bands prevent the 1" sling webbing from rubbing on your neck while using the sling.) + (5.) Put your vest on, and adjust the right side double 1" sling webbing out using the Tri-Glide until the single point assembly in front rests just below your outer shirt. You should not be able to see the assembly while wearing your uniform shirt, but you should be able to reach the assembly to release the buckle without unbuttoning or unzipping your outer shirt. Once adjusted properly, you should not notice that you have the sling on.

\* If your soft body armor is older, or does not have the loop Velcro on the back ballistic panel carrier, and has the elastic straps sewn directly to the side of the carrier, a loop Velcro adaptor panel can be provided. Simply have the loop Velcro adaptor panel sewn to the bottom rear seam of the ballistic panel carrier. The white stitch needs to face outward away from the vest, and pointing down as indicated on the provided instructions.

**INSTALLING THE SWAT/IBA/MTV Slings (S.I.M. Sling) on BALLISTIC VESTS:**

+ (1.) Route the 1" tubular webbing that is on the opposite side of the female side release buckle through your offhand shoulder sling retention straps of your ballistic vest. + (2.) Using the supplied and already installed Strap-Loc, undo the webbing, and route the webbing through either the PALS/MOLLE webbing strip, or the drag handle of your ballistic vest then re-route the webbing back through the Strap-Loc. + (3.) For the Dual Bridged S.I.M. Sling, install the second S.I.M. to the strong hand shoulder sling retention straps of your ballistic vest. + (4.) Connect the weapon system or shield adaptor to the single S.I.M. or to the S.I.M. Bridge. + (5.) Now you can cinch the weapon or shield in tight, or un-cinch it for more maneuverability.

**FOR ADDITIONAL INSTALLATION ASSISTANCE & PHOTOS, PLEASE GOTO**

5



Department of Safety

APPLICATION ONLY - OCA

APPLICATION GENERAL  
HANSUNG CARRY PERMIT

Please type or print in block letters  
New Applicant ☐ Renewal ☒ Other ☐

THE APPLICATION WILL NOT BE PROCESSED UNLESS ALL QUESTIONS HAVE BEEN ANSWERED as required  
by the Department of Safety, and applicable fees have been submitted. (See fees under General Information.)  
THIS APPLICATION BECOMES PUBLIC RECORD UPON SUBMISSION.

Name: Leonard Shinn (Last, First, Middle Initial)  
Address: 3135 Parkwood Rd (Street)  
City: Nashville State: TN County: DAVIDSON Zip: 37211

City: Antioch State: TN County: DAVIDSON Zip: 37013

Telephone: 615 834-6840 Home 931 553-5078  
Business 615 834-6840 Mobile 931 553-5078

Age: 10 Sex: M Height: 5'10" Weight: 140 Hair: BR Eyes: BL

1. Have you ever been convicted of a crime involving the use of a firearm? ☐ YES ☒ NO
2. Have you ever been convicted of a crime involving the use of a firearm? ☐ YES ☒ NO
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100. Have you ever been convicted of a crime involving the use of a firearm? ☐ YES ☒ NO

APPLICANT'S SIGNATURE

I hereby certify that the information provided on this application is true and correct, and I understand that making any false statement on this application is a violation of the law and may result in the denial of my application and the imposition of criminal penalties.

Applicant's Signature

Applicant's Name

Applicant's Address

Date: 3/30/01

Signature: [Signature]

Print Name: Leonard Shinn



From: 1000 1st St San Francisco CA 94103  
 To: 1000 1st St San Francisco CA 94103  
 Name: John Doe Phone: 415 555 1234  
 Address: 1000 1st St San Francisco CA 94103

From: 1000 1st St San Francisco CA 94103  
 To: 1000 1st St San Francisco CA 94103  
 Name: John Doe Phone: 415 555 1234  
 Address: 1000 1st St San Francisco CA 94103

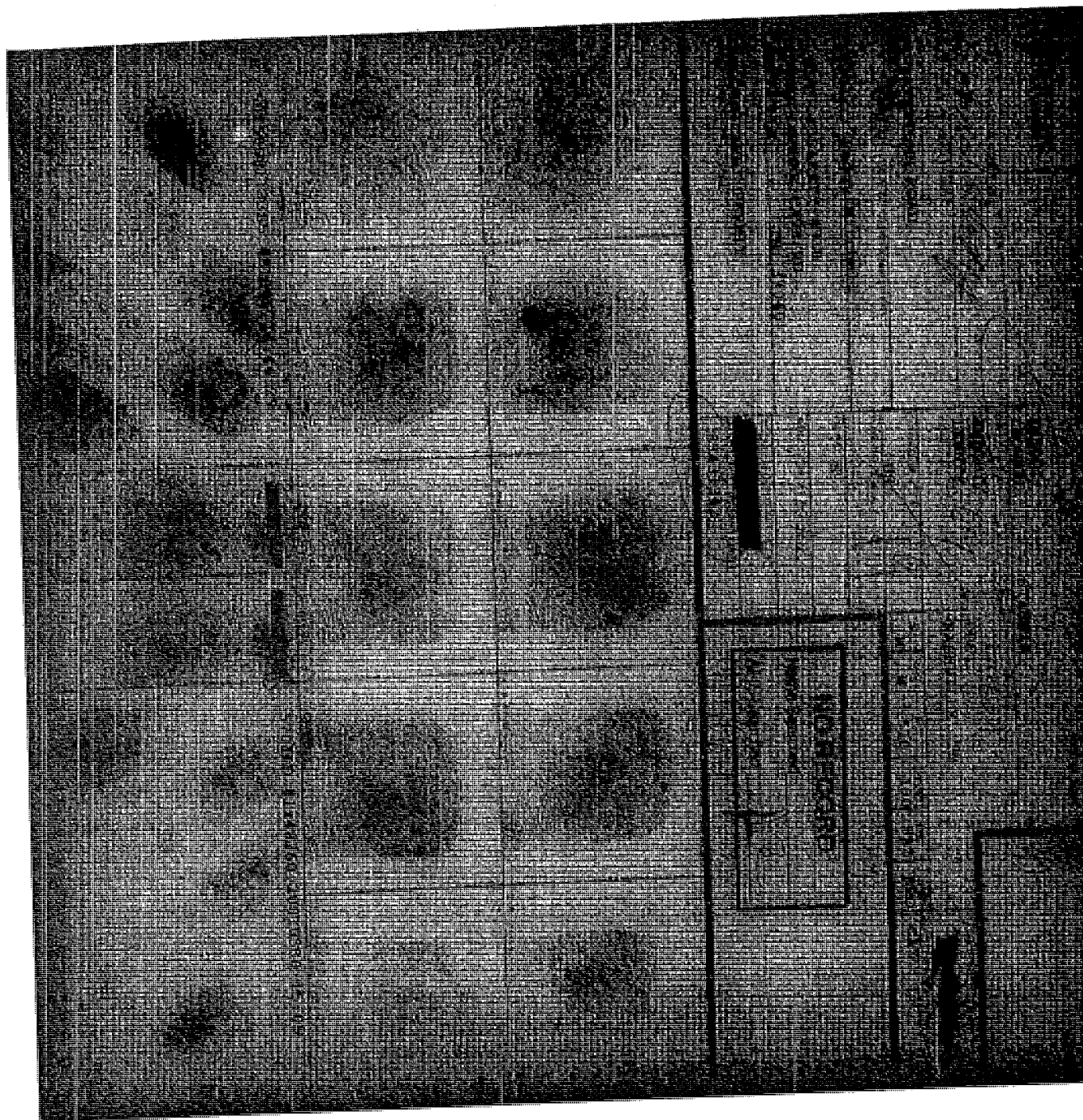
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 Name: John Doe Phone: 415 555 1234  
 Address: 1000 1st St San Francisco CA 94103

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 Address: 1000 1st St San Francisco CA 94103

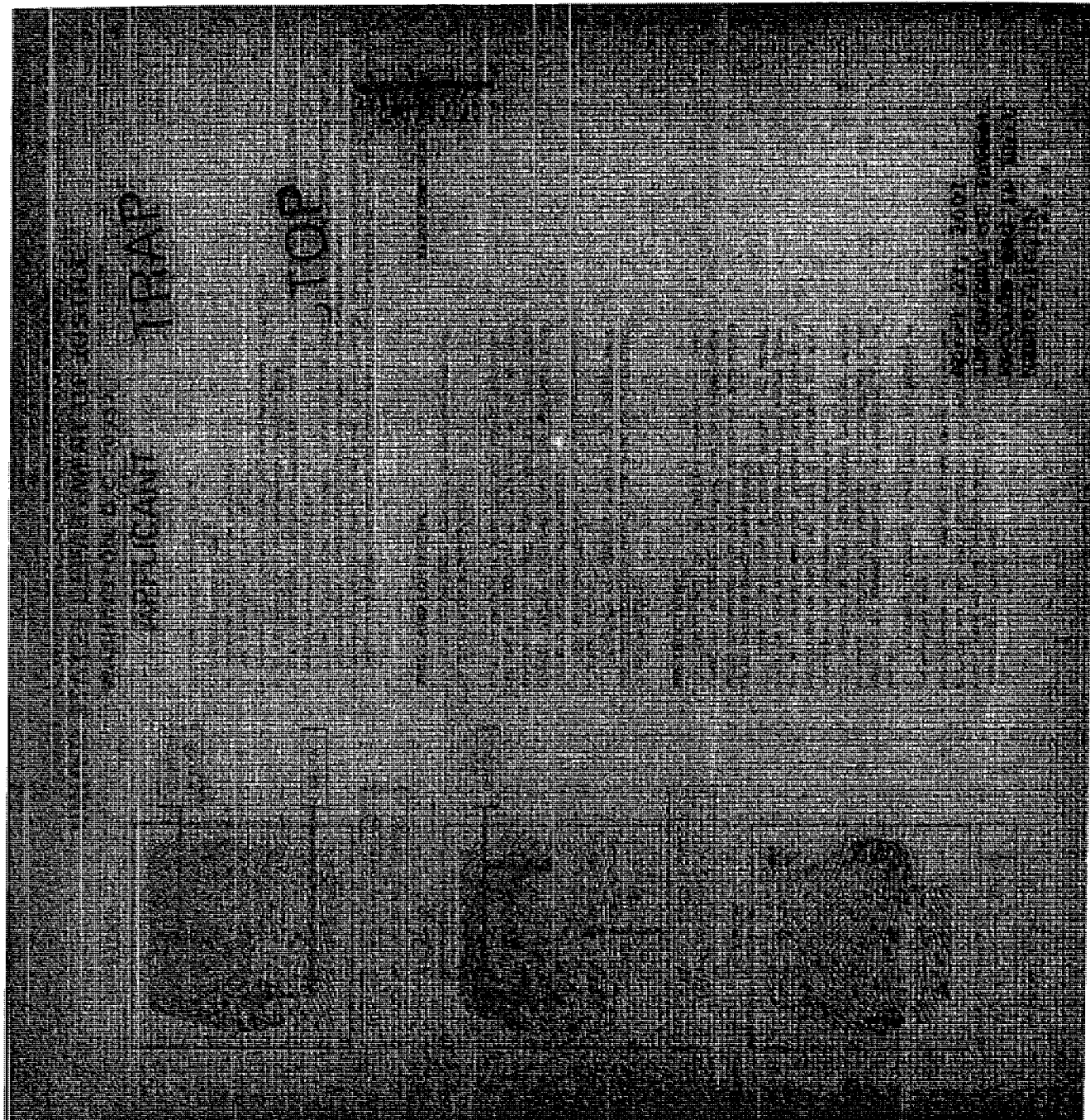
From: 1000 1st St San Francisco CA 94103  
 To: 1000 1st St San Francisco CA 94103  
 Name: John Doe Phone: 415 555 1234  
 Address: 1000 1st St San Francisco CA 94103

I hereby certify that the information furnished on this form is true and correct. I am aware that anyone who furnishes false or misleading information on this form or who omits material or information requested on the form may be subject to criminal sanctions (including fines and imprisonment) and/or civil sanctions (316.101).  
 Signature: [Signature] Date: 9/20/03





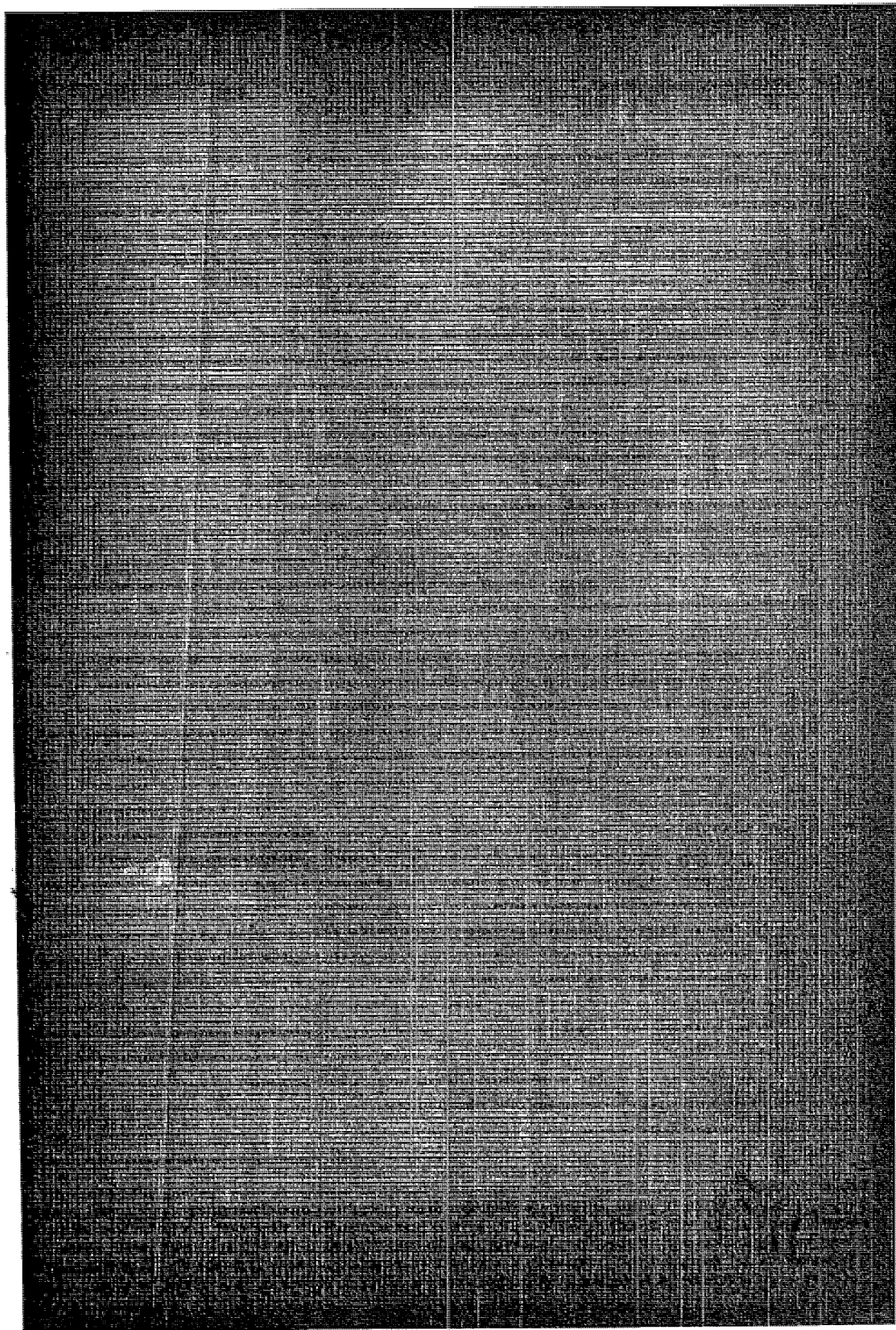


















**HANDGUN CARRY  
PERMIT RENEWAL**

**IT'S TIME TO RENEW YOUR HANDGUN CARRY PERMIT**

As your permit expires on 06/24/2010, to renew your permit, you may submit a renewal application in person or you may renew by mail.

When you renew in person, you will have to renew at a Driver License Station  
and bring with you the original birth certificate or marriage or divorce

Complete and return the application on the back of this notice.

When you renew by mail, the fee is payable by check or money order to the

Tennessee Department of Safety  
Handgun Permit Office  
3100 Foster Avenue  
Nashville, TN 37249-1000

Applications cannot be processed

if you are under 21 years of age.

If you are applying to renew your permit, you may  
also apply for a new permit.

Failure to renew your permit before the expiration date of your permit will result  
in the loss of your permit and require a new permit and original fee of \$115.00.



Case 3:10-cv-00126 Document 16-1 Filed 11/30/10 Page 163 of 177 PageID #: 213





0171618

## HANDGUN CARRY PERMIT APPLICATION/RENEWAL

Please type or print in black or blue ink

☐ NewApp665☐ Ren666☒ Dup667

## Section I.

THIS APPLICATION WILL NOT BE PROCESSED UNLESS ALL QUESTIONS HAVE BEEN ANSWERED, and all required supporting documents and applicable fees have been submitted. (See fees under General Information.) FEES ARE NON-REFUNDABLE. THIS APPLICATION BECOMES PUBLIC RECORD UPON SUBMISSION.

## Section II. See inside of front cover for instructions.

## MANDATORY

NAME LAST	FIRST	MIDDLE	Applicant's Driver License #
Embrey	Leonard	Starnie	[REDACTED]
Any Aliases:			Place of Birth: CA
You must list your addresses for the last five (5) years. (Use supplement on previous page)			
Current Address	STREET	CITY	STATE
6620 Valley Dr.	Brentwood	TX	Williamson
ZIP CODE	37027		
Telephone: Home	Work		
615 507-1782			
Date of Birth	Sex	Race	Height
[REDACTED]	M	W	5' 11"
Weight	Hair Color	Eye Color	
200	BR	HZ	

## Section III. THE FOLLOWING ARE TO BE ANSWERED YES OR NO (USE SUPPLEMENT ON PREVIOUS PAGE)

1. Are you twenty-one (21) years of age or older?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
2. Are you a United States Citizen or a Lawful Permanent Resident?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
3. (A) Are you a resident of Tennessee?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
(B) Are you a valid out-of-state permit holder applying for a non-resident permit?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
If so, you must provide proof of employment in Tennessee for at least thirty (30) hours per week for six (6) consecutive months.	
4. Have you been convicted of a criminal offense punishable for a term exceeding one (1) year, which does not include federal or state offenses pertaining to anti-trust violations, unfair trade practices, restraints of trade or other similar offenses relating to the regulations of business practices? (18 U.S.C. 922(g))	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
5. Are you currently under indictment or information for any criminal charge punishable for a term exceeding one (1) year, which does not include any federal or state offenses pertaining to anti-trust violations, unfair trade practices, restraint of trade or any other similar offenses relating to the regulations of business practices? (18 U.S.C. 922(g))	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
6. Are you a fugitive from justice? (18 U.S.C. 922(g))	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
7. Have you been discharged from the Armed Forces under dishonorable conditions? (Only persons who have been discharged from the armed forces by a military tribunal following conviction can be denied a handgun permit in Tennessee.) (Rule 1340-2-5-.02 (5)) (18 U.S.C. 922(g))	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
8. Are you an alien illegally or unlawfully in the United States? (18 U.S.C. 922(g))	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
9. Have you ever renounced your United States Citizenship? (18 U.S.C. 922 (g)).	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
10. Do you currently have an order of protection or restraining order filed against you? (18 U.S.C. 922(g))	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
11. (A) Are you an unlawful user of or addicted to alcohol or any controlled substance? (18 U.S.C. 922(g))	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
(B) Have you been a patient in a rehabilitation program or hospitalized for alcohol or controlled substance abuse or addiction within ten (10) years from date of application?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
(C) Have you been convicted of Driving Under the Influence in this state or any other state within five (5) years from the date of application?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
(D) Have you been convicted two (2) or more times for Driving Under the Influence in this state or any other state within the last ten (10) years from the date of this application?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
12. Are you subject to a court order that restrains such person from harassing, stalking, or threatening an intimate partner of such person or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child, except that this paragraph shall only apply to a court order that: (a) was issued after a hearing of which such person received actual notice, and at which you had the opportunity to participate; and (b)(i) includes a finding that such person presents a credible threat to the physical safety of such intimate partner or child; or (b)(ii) by its terms explicitly prohibits the use, or threatened use, of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury? (If so, you must provide a copy of such order.) (18 U.S.C. 922(g))	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
13. (A) Have you ever been adjudicated as a mental defective or have you been committed to or hospitalized in a mental institution?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
(B) Have you had a court appoint a conservator for you by reason of a mental defect?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
(C) Have you been judicially determined to be disabled by reason of mental illness, development disability or other mental incapacity?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
(D) Have you been found by a court to pose an immediate substantial likelihood of serious harm, as defined in T.C.A. §33-8-501 because of mental illness within seven (7) years from the date of application?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
14. Have you been convicted of a misdemeanor crime of domestic violence as defined in 18 U.S.C. 921(33)? "Misdemeanor crime of domestic violence" is generally defined as any offense, whether or not explicitly described in a statute as a crime of domestic violence which has, as its factual basis, the use or attempted use of physical force, or the threatened use of a deadly weapon, committed by the victim's current or former domestic partner, parent or guardian. The term "convicted" is defined as excluding anyone whose conviction has been expunged or been set aside or has received a pardon.	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
15. Are you receiving Social Security disability benefits by reason of alcohol dependence, drug dependence, or mental disability?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
16. Have you been convicted of the offense of stalking?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

## Section IV. AFFIDAVIT


I hereby affirm under oath that the answers to the above questions are true and correct. I understand that making any false oral or written statement, or exhibiting any false or misrepresented identification or documentation, with the intent to deceive, is punishable as a felony offense pursuant to the penalties of perjury. (T.C.A. §39-16-702)

ONLY NEW APPLICATIONS MUST BE SIGNED IN THE PRESENCE OF A DRIVER LICENSE EXAMINER.

Applicant's Signature: [Signature]  
 Social Security or Alien Registration Number: [REDACTED]  
 Examiner's Signature: [Signature] Station # 330

Date: 6/6/03/2008  
 Exp.: 06/03/2008  
 Date: 06/03/2008

RECEIVED  
JUN 06 2008

 0180723	<b>HANDGUN CARRY PERMIT APPLICATION/RENEWAL</b> Please type or print in black or blue ink <input type="checkbox"/> NewApp665 <input type="checkbox"/> Ren666 <input checked="" type="checkbox"/> Dup667
<b>Section I.</b> THIS APPLICATION WILL NOT BE PROCESSED UNLESS ALL QUESTIONS HAVE BEEN ANSWERED, and all required supporting documents and applicable fees have been submitted. (See fees under General Information.) <b>FEES ARE NON-REFUNDABLE. THIS APPLICATION BECOMES PUBLIC RECORD UPON SUBMISSION.</b>	
<b>Section II. See inside of front cover for Instructions.</b>	
<b>MANDATORY</b>	
<b>NAME</b> LAST FIRST MIDDLE Embody Leonard Stannie	Applicant's Driver License # [REDACTED]
Any Aliases: _____ Place of Birth: CA	
You must list your addresses for the last five (5) years. (Use supplement on previous page)	
Current Address 6620 Valley Dr. Telephone: Home (615) 661-8067	STREET CITY STATE COUNTY ZIP CODE Brentwood TN Williamson 37027
Date of Birth Sex Race Height Weight Hair Color Eye Color [REDACTED] Male Caucasian 5 ft 11 in 210 brown brown	
<b>Section III. THE FOLLOWING ARE TO BE ANSWERED YES OR NO (USE SUPPLEMENT ON PREVIOUS PAGE)</b>	
===== THANK YOU FOR YOUR PAYMENT ===== PAID: 03/31/09 Batch # 4638 Trans # 17 \$55.00 \$17.90-Dup-1 \$55.00 Credit Card \$55.00 ===== 03/31/09 34901330 =====	1. Are you twenty-one (21) years of age or older? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO 2. Are you a United States Citizen or a Lawful Permanent Resident? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO 3. (A) Are you a resident of Tennessee? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO (B) Are you a valid out-of-state permit holder applying for a non-resident permit? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO If so, you must provide proof of employment in Tennessee for at least thirty (30) hours per week for six (6) consecutive months. 4. Have you been convicted of a criminal offense punishable for a term exceeding one (1) year, which does not include federal or state offenses pertaining to anti-trust violations, unfair trade practices, restraints of trade or other similar offenses relating to the regulations of business practices? (18 U.S.C. 922(g)) <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO 5. Are you currently under indictment or information for any criminal charge punishable for a term exceeding one (1) year, which does not include any federal or state offenses pertaining to anti-trust violations, unfair trade practices, restraint of trade or any other similar offenses relating to the regulations of business practices? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO 6. Are you a fugitive from justice? (18 U.S.C. 922(g)) <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO 7. Have you been discharged from the Armed Forces under dishonorable conditions? (Only persons who have been discharged from the armed forces by a military tribunal following conviction can be denied a handgun permit in Tennessee.) (Rule 1340-2-5-.02 (5)) (18 U.S.C. 922(g)) <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO 8. Are you an alien illegally or unlawfully in the United States? (18 U.S.C. 922(g)) <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO 9. Have you ever renounced your United States Citizenship? (18 U.S.C. 922 (g)). <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO 10. Do you currently have an order of protection or restraining order filed against you? (18 U.S.C. 922(g)) <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO 11. (A) Are you an unlawful user of or addicted to alcohol or any controlled substance? (18 U.S.C. 922(g)) <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO (B) Have you been a patient in a rehabilitation program or hospitalized for alcohol or controlled substance abuse or addiction within ten (10) years from date of application? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO (C) Have you been convicted of Driving Under the Influence in this state or any other state within five (5) years from the date of application? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO (D) Have you been convicted two (2) or more times for Driving Under the Influence in this state or any other state within the last ten (10) years from the date of this application? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO 12. Are you subject to a court order that restrains such person from harassing, stalking, or threatening an intimate partner of such person or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child, except that this paragraph shall only apply to a court order that: (a) was issued after a hearing of which such person received actual notice, and at which you had the opportunity to participate; and (b)(i) includes a finding that such person presents a credible threat to the physical safety of such intimate partner or child; or (b)(ii) by its terms explicitly prohibits the use, or threatened use, of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury? (If so, you must provide a copy of such order.) (18 U.S.C. 922(g)) <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO 13. (A) Have you ever been adjudicated as a mental defective or have you been committed to or hospitalized in a mental institution? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO (B) Have you had a court appoint a conservator for you by reason of a mental defect? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO (C) Have you been judicially determined to be disabled by reason of mental illness, developmental disability or other mental incapacity? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO (D) Have you been found by a court to pose an immediate substantial likelihood of serious harm to yourself or others by reason of a mental illness, developmental disability or other mental incapacity? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO 14. Have you been convicted of a misdemeanor crime of domestic violence as defined in 18 U.S.C. 921(33)? "Misdemeanor crime of domestic violence" is generally defined as any offense, whether or not explicitly described in a statute as a crime of domestic violence which has, as its factual basis, the use or attempted use of physical force, or the threatened use of a deadly weapon, committed by the victim's current or former domestic partner, parent or guardian. The term "convicted" is defined as excluding anyone whose conviction has been expunged or been set aside or has received a pardon. <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO 15. Are you receiving Social Security disability benefits by reason of alcohol dependence, drug dependence, or mental disability? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO 16. Have you been convicted of the offense of stalking? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
<b>Section IV. AFFIDAVIT</b> I hereby affirm under oath that the answers to the above questions are true and correct. I understand that making any false oral or written statement, or exhibiting any false or misrepresented identification or documentation, with the intent to deceive, is punishable as a felony offense pursuant to the penalties of perjury. (T.C.A. §39-16-702) ONLY NEW APPLICATIONS MUST BE SIGNED IN THE PRESENCE OF A DRIVER LICENSE EXAMINER.	
Applicant's Signature [Signature] Social Security or Alien Registration Number [REDACTED] Examiner's Signature [Signature] Station # 330	Date: 03/31/2009 Exp.: _____ Date: 3-31-09

**TENNESSEE DEPARTMENT OF SAFETY**

## HANDGUN CARRY PERMIT SUPPLEMENT

From 06/1997 to 06/2005  
Street Address: 3728 Bakertown Rd  
City: Nashville  
County: DAVIDSON Zip Code: 37211

From \_\_\_\_\_ to \_\_\_\_\_  
Street Address: \_\_\_\_\_  
City: \_\_\_\_\_  
County: \_\_\_\_\_ Zip Code: \_\_\_\_\_

From \_\_\_\_\_ to \_\_\_\_\_  
Street Address: \_\_\_\_\_  
City: \_\_\_\_\_  
County: \_\_\_\_\_ Zip Code: \_\_\_\_\_

**If you answered "YES" to any of the questions 4 through 16, use the section below to explain. Be sure to list the question number.**

RECEIVED  
APR 27 77  
BY:.....

**Making any false oral or written statement or exhibiting any false or misrepresented identification or documentation is a Class B misdemeanor punishable by a fine not to exceed Five Hundred (\$500.00) Dollars.**

**T.C.A. §39-14-114 (a) A person commits an offense who forges a writing with intent to defraud or harm another.**

Applicant's Signature: [Signature] Date: 03/31/09



## **APPLICATION INFORMATION AND INSTRUCTIONS**

Please type or print in black or blue ink  
Handgun Permit Office 1-866-849-3548

### **SECTION I.**

Read this section carefully.

### **SECTION II.**

The applicant's complete Social Security number is Mandatory. (T.C.A. §39-17-1351) The Social Security Number should not be printed on the Handgun Permit.

Any Aliases: Any name(s) you are known by other than your legal name

Place of Birth (Pursuant to T.C.A. §39-17-1351) only United States Citizens or Lawful Permanent Residents will be issued a Handgun Permit. If you have not lived at your current address for the last five (5) years, you will need to complete the supplement supplied on the back of this page.

**DATE OF BIRTH** - Example: August 8, 1946, should be listed as 8/8/46.

**SEX** - Use M for Male and F for Female

**RACE** - Use W for White, B for Black, A for Asian, I for Indian, H for Hispanic, O for Other

**HEIGHT** - Use feet and inches.

**WEIGHT** - Use pounds only

**EYES AND HAIR** - To describe color of eyes and hair, use the appropriate two letter code from the list:

<b>COLOR</b>	<b>CODE</b>	
Bald*	NN	(Hair Only)
Black	BK	(Hair Only)
Blond or Strawberry	BL	(Hair Only)
Blue	BL	(Eyes Only)
Brown	BR	
Gray or Partially Gray	GR	
Green	GN	(Eyes Only)
Hazel	HZ	(Eyes Only)
Red or Auburn	RD	(Hair Only)

\*Bald (NN) is to be used when subject has lost most of the hair on top of his head.

### **SECTION III.**

All questions must be answered in this section and must be answered with a YES or a NO.

If you answered "YES" to any of the questions 4 through 16, use Handgun Supplement on back to explain.

### **SECTION IV.**

New Applicant - Please read the affidavit carefully; then sign and date the application in the presence of a Driver License examiner.  
Renewal/Duplicate - Please read the affidavit carefully; sign and date the application.

In addition to the information required, the applicant shall submit proof of the successful completion of a Department of Safety approved handgun safety course within the past six (6) months. Such course must include both classroom hours (4), and firing range hours (4). (Refer to the General Information page for exceptions to the firing range requirements.) This proof must be submitted at the time the completed application is submitted to the Department of Safety.

**INCOMPLETE APPLICATIONS CANNOT BE PROCESSED.**  
**FEES ARE NON-REFUNDABLE**







STATE OF TENNESSEE  
DEPARTMENT OF SAFETY

0167088

248  
19

Certificate of Completion

for

DL [redacted]  
DOB [redacted]

Handgun Safety Course

I do hereby certify that

Leonard Estanislao Emboldy  
Name of Student

[redacted]  
Social Security Number

of Davidson  
Legal Residence

County has successfully

completed all requirements of a Department of Safety approved Handgun

Safety Course conducted by

Kurt Brecklow  
Name of Instructor

a state certified

Handgun Safety Instructor, this

25 day of March

2011

This certification will be valid for only six (6) months from the date of issue  
for the purpose of obtaining a Handgun Carry Permit.

Kurt Brecklow  
Certified Instructor

410492641

Instructor ID Number

Good Little Ole Gun Shop  
Name of School

2-19-4

School ID Number

Student's Handgun	
Manufacturer	
<u>Ruger</u>	<u>Model</u>
<u>Pg</u>	<u>Gun</u>

Applicant must submit "DOS.com" to the Department of Safety when applying for a Handgun Carry Permit.

6



**TENNESSEE DEPARTMENT OF SAFETY**  
**Handgun Unit**  
**1148 Foster Avenue**  
**Nashville, Tennessee 37210**

March 10, 2010

Leonard S. Embody  
6620 Valley Dr.  
Brentwood, TN 37027

Driver License Number: 083431342  
Date of Birth: 4/27/1972

Dear Mr. Embody,

By authority of T.C.A. 39-17-1352, you are officially notified that your Handgun Carry Permit has been suspended.

This suspension is the result of the following information received by this department:

3/2/2010      Poses a material likelihood of risk to the public      Belle Meade, TN Police Department

You must surrender your permit to the department within ten (10) days of this notice. You may mail your permit to this office at the above address, Attn: Handgun Office or you may return it to your nearest driver license testing station.

It is a Class A Misdemeanor punishable by up to one (1) year in jail for the permit holder to knowingly fail or refuse to surrender the permit to the department within the ten (10) day period. If you fail to surrender the permit, a law enforcement official will be directed to take possession of the permit.

You have thirty (30) days from the date of this notice to either petition the General Sessions Court in your County of Residence for Judicial Review or make a written request for a departmental hearing regarding the suspension of your handgun permit

Due to the confidential nature of all criminal histories and dispositions, records may not be discussed by telephone. Should you have further questions, please forward all inquiries in writing to the above address, Attn: Handgun Permit Office.

Lieutenant Robert Eckerman  
Program Manager

Enclosure: Petition Forms (2)

Cc: Williamson County District Attorney  
Williamson County Sheriff's Department  
Belle Meade Police Department

sjs

*motion.*



RECEIVED  
2010 MAR 22 PM 3:01

**TENNESSEE DEPARTMENT OF SAFETY**  
**DIVISION OF LEGAL SERVICES - MIDDLE TENNESSEE REGION**  
1150 Foster Avenue, McCord Building, Room 107  
Nashville, TN 37249-1000

PHONE: (615) 251 - 5296

FAX: (615) 253 - 2098

**PETITION FOR HEARING**

DATE: 3-12-10

D.O.S. CASE NO.: \_\_\_\_\_

I, Leonard Starline Embury, residing at 6620 Valley Dr.  
(Name) (Street Address)  
Brentwood TN 37027 (615) 448-7185  
(City) (State) (Zip Code) (Area Code) (Phone)

hereby file this PETITION pursuant to TCA § 39-17-1353 et seq. and request a hearing to review the department's determination of handgun permit status.

Handgun Carry Permit Number: [REDACTED]

Date of Notice: 3-12-10

Permit Status Determination: Revoked ( ) Suspended (☒)

If your handgun carry permit has not been previously surrendered, it must be surrendered at the time the request for hearing is made. A request for hearing does not stay the permit suspension or revocation.

**This form must be received by the Legal Office within thirty (30) days of Notice or your interest will be forfeited. DO NOT LEAVE ANY BLANK LINES.**

(Petitioner's Signature) X [Signature]

RECEIVED MAR 23 2010

LT ECKERMAN  
HANDGUN PERMIT





**STATE OF TENNESSEE**  
**DEPARTMENT OF SAFETY**  
1150 FOSTER AVENUE  
NASHVILLE, TENNESSEE 37243

May 8, 2008

Leonard Embody  
6620 Valley Drive  
Brentwood, TN 37027

Driver License Number: 083431342  
Date of Birth: 4/27/72

Dear Mr. Embody,

By authority of T.C.A. 39-17-1352, you are officially notified that your Handgun Carry Permit has been revoked.

This revocation is the result of the following information received by this department:

April 4, 2008                      Ex Parte Order of Protection                      Davidson County, TN

You must surrender your permit to the department within ten (10) days of this notice. You may mail your permit to this office at the above address, Attn: Handgun Office or you may return it to your nearest driver license testing station.

It is a Class A Misdemeanor punishable by up to one (1) year in jail for the permit holder to knowingly fail or refuse to surrender the permit to the department within the ten (10) day period. If you fail to surrender the permit, a law enforcement official will be directed to take possession of the permit.

You have thirty (30) days from the date of this notice to petition the General Sessions Court in your County of Residence for Judicial Review of this department's denial of a handgun permit.

If you are able to provide this office with documentation from the court to clear this matter prior to your court date we will review the documentation and follow up with a response, only after the permit has been received. Documentation must be certified by the court.

Due to the confidential nature of all criminal histories and dispositions, records may not be discussed by telephone. Should you have further questions, please forward all inquiries in writing to the above address, Attn: Handgun Permit Office.

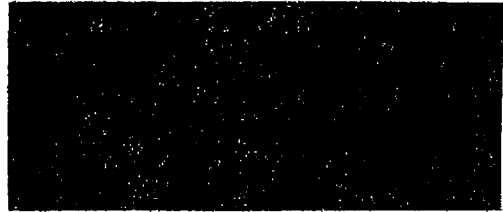
Program Manager  
Handgun Permit Unit

Enclosure: Petition Form

jb

Leonard Embody  
6620 Valley Dr.  
Bentwood TN 37027  
615-507-1782 home phone  
931-538-5962 cell phone  
[leonardembody@gmail.com](mailto:leonardembody@gmail.com)

Driver license # 83431342



# Fax

<b>To:</b> Dept. of Safety Attn. Judith Person	<b>From:</b> Leonard Embody DL # 83431342
<b>Fax:</b> 615-532-3056	<b>Pages:</b> 2
<b>Phone:</b> 615-251-8590	<b>Date:</b> 5/9/08
<b>Re:</b> Handgun Carry Permit Revocation	<b>cc:</b>

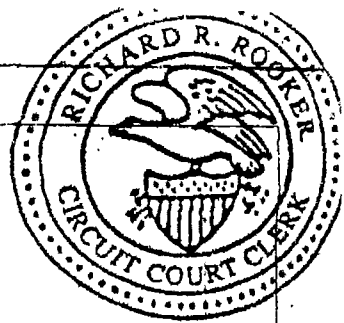
☐ Urgent    ☐ For Review    ☐ Please Comment    ☐ Please Reply    ☐ Please Recycle

My handgun carry permit was revoked due to a crazy woman who filed an ex parte order of protection against me last month. I never even saw her before the court date. She was not related to me at all. We never had any children together. Anyway, I defended myself in court 5-7-08 and the REAL Judge (not a commissioner/magistrate) dismissed it. I sent a copy of the actual certified court document to your office this morning 5-9-08. I just received your certified letter this afternoon 5-9-08. The second page of this fax is another copy of the dismissal.

Please let me know if I need to file a petition with the court to get my handgun carry permit back. Please let me know if I must turn the permit in to a driver testing station. Thanks.

You may contact me at 931-538-5962. Leonard Embody.

IN THE GENERAL SESSIONS COURT  
FOR DAVIDSON COUNTY, TENNESSEE



Deidre Summ  
Petitioner,

MAY -7 AM 9:57  
RICHARD R. ROOKER, CLERK

VS.

Leonard Embrey  
Respondent,

CASE NO. 8 OP 448  
I DO HEREBY CERTIFY THIS TO BE A TRUE  
AND CORRECT COPY OF THE JUDGMENT  
ENTERED IN THIS CASE ON 5-7, 2008  
THIS 9th DAY OF May, 2008

RICHARD R. ROOKER, CLERK

ORDER OF DISMISSAL

IT APPEARING to this Court:

\_\_\_\_\_ The petitioner wishes not to petition this Court for an Order of Protection

\_\_\_\_\_ The Petitioner has failed to proceed with the Petition for Order of Protection or

☒ The petitioner has failed to prove by a preponderance of the evidence the  
allegations contained in the Petition for Orders of Protection.

\_\_\_\_\_ The Petitioner/Respondent has filed a Petition to Modify requesting this Court to  
set aside the Order of Protection entered on \_\_\_\_\_, 200 \_\_\_\_.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that:

☒ The Petition is dismissed.

☐ The Order of Protection previously entered on this case is Set Aside and this case  
Dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the ☒ Petitioner  
☐ Respondent shall pay the costs of this cause, for which execution shall issue if  
necessary.

ENTERED, this 7th day of May, 2008.

[Signature]  
Judge, Division BT

Certificate of Service

I hereby certify that a true and exact copy of the foregoing Order has been mailed to the respondent at the  
following address:

6620 Valley Rd Bldg 3702 on the 7th day  
of May, 2008.

[Signature]  
Deputy Clerk

\*Petitioner's signature for request of Dismissal

[Signature] The Respondent was present in court



Exhibit:	7
Wit:	Embrey
Date:	10/11/10
Rptr:	SA